

UNFINISHED BUSINESS

Bill No: SB 1107
Author: Stern (D)
Amended: 8/13/26
Vote: 21

SENATE EDUCATION COMMITTEE: 7-0, 4/8/26

AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Reyes

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SENATE FLOOR: 37-0, 4/23/26 (Consent)

AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Weber Pierson, Wiener

NO VOTE RECORDED: Ochoa Bogh, Reyes, Wahab

ASSEMBLY FLOOR: 79-0, 8/26/26 - See last page for vote

SUBJECT: School facilities: design-build: shade structures

SOURCE: Los Angeles Unified School District

DIGEST: This bill authorizes school districts to bundle multiple comparable shade structure projects at different sites into a single design-build solicitation, subject to specified requirements, and expands an existing exemption from accessible path-of-travel requirements under the California Building Standards Code for certain freestanding shade structures to also apply to shade structures that are integrated into playground equipment.

Assembly Amendments authorize school districts, until January 1, 2032, to bundle multiple comparable shade structure projects at different sites into a single design-build solicitation when the combined value of the projects exceeds \$1 million, even

if individual projects are below the \$1 million threshold for use of design-build, and make related chaptering amendments.

ANALYSIS:

Existing law:

- 1) Defines “construction or alteration” for purposes of school facilities projects to include any construction, reconstruction, or alteration of, or addition to, any school building.
- 2) Requires the Department of General Services (DGS) to pass upon and approve or reject all plans for the construction or, if the estimated cost exceeds \$100,000, the alteration of any school building.
- 3) Generally requires the governing board of each school and community college district, before adopting construction or alteration plans, to submit the plans to DGS for approval and pay all associated fees.
- 4) Requires construction projects over \$209,208 (cost threshold) to provide “an accessible path of travel” from the building entrance to the project location.
- 5) Specifies that an area that has been altered without providing an accessible path of travel to that area, and subsequent alterations of that area or a different area on the same path of travel are undertaken within three years of the original alteration, the total cost of alterations for the preceding three-year period shall be considered in determining whether the cost threshold has been met.
- 6) Limits the cost of complying with the requirement to provide an accessible path of travel to a free-standing, open-sided shade structure project to 20% of the adjusted construction cost, as defined, of the shade structure project.
- 7) Authorizes a school district, with the approval of its governing board, to use the design-build procurement process for public works projects in excess of \$1 million and to award a design-build contract to either the low bid or the best value, as specified.

This bill:

- 1) Authorizes a school district, until January 1, 2032, with the approval of its governing board, to bundle multiple comparable shade structure projects at different sites through a single design-build solicitation if the combined value of

the projects exceeds \$1 million, even if an individual project is valued at less than \$1 million, provided that no individual project exceeds \$10 million.

- 2) Requires each project awarded through a bundled solicitation to be a separate contract with an individual contract value, scope of work, location, schedule, design, and construction, and authorizes a contract entered into by December 31, 2031, to be completed after that date.
- 3) Expands an existing exemption from accessible path-of-travel requirements under the Building Code for certain freestanding shade structures to also apply to integrated shade structures attached to playground equipment that are included on DSA's approved pre-check design list.

Comments

- 1) *Need for the bill.* According to the author, "Spending time outside plays a vital role in supporting children's overall health and academic achievement. Regular access to outdoor environments can reduce stress and inattentiveness while strengthening cognitive growth and emotional well-being. However, students in urban areas face greater exposure to extreme temperatures, which can undermine the benefits of outdoor play by increasing their vulnerability to heat-related illnesses and diminishing their ability to focus and learn. Proper shading structures are essential to lower surrounding temperatures and protect children from dangerous heat.

"We are proud to continue the important work SB 515 had started by expanding its provisions to include overhead playground structure shading, further empowering our schools to quickly and cost-effectively provide schoolyard shading that keeps our children cool while they play."

- 2) *Plan review for construction projects.* The DSA reviews plans for public school construction and certain other state-funded building projects to ensure that plans, specifications, and construction comply with California's building codes (Title 24 of the California Code of Regulations). The majority of DSA's plan review and construction oversight focuses on new construction and alteration projects for California school and community college districts. DSA's plan review ensures the project's compliance with code requirements related to:
 - a) Structural safety, ensuring that facilities meet the high standards set in the Field Act to withstand an earthquake.

- b) Fire and life safety, addressing the safety of occupants in buildings, as related to fire resistive building materials, fire alarms, fire suppression equipment, safe occupant egress, and firefighting equipment access.
 - c) Access compliance, ensuring that public schools and state-funded construction projects meet accessibility requirements for people with disabilities.
 - d) Energy efficiency, including compliance with applicable California Green Building Standards Code requirements for sustainability.
- 3) *The Field Act*. All school facilities must be built in compliance with specified earthquake safety standards, commonly known as the “Field Act.” The Field Act was enacted following a severe earthquake in Long Beach in 1933. The Field Act requires a comprehensive design specification and construction inspection process for K-12 public school educational facilities. Community college facilities may be constructed in accordance with either the Field Act or the Building Code.

The Field Act requires the DSA (within DGS) to review the construction plans for school buildings and requires school districts to hire onsite construction inspectors to ensure compliance with the structural safety standards. School and community college construction contracts may only be awarded after DSA approval of the plans and specifications on which the contracts are based.

- 4) *State Architect’s pre-check approval process*. The DSA maintains a pre-check design list that includes over 25 “off the shelf” shade structures that schools and community colleges can install according to an expedited review and approval process. The pre-check approval process is intended to streamline DSA plan review by providing a procedure for approving the design of commonly used structures prior to the submittal of plans to DSA for construction projects. The pre-check approval process allows designers to incorporate designs for structures that have already been “pre-checked” by DSA into their plans for actual site-specific construction projects.
- 5) *Bundling shade structure projects for design-build procurement*. Existing law generally authorizes a school district to use design-build procurement for public works projects exceeding \$1 million. The Assembly amendments authorize a school district undertaking multiple comparable shade structure projects at different sites to bundle those projects through a single design-build solicitation if their combined value exceeds \$1 million, even if individual projects are valued at less than \$1 million. Each project must remain a separate contract

with its own contract value, scope of work, location, schedule, design, and construction.

This approach may be particularly useful for districts seeking to install similar shade structures across multiple campuses. Bundling comparable projects could allow districts to reduce administrative costs, achieve economies of scale, and make design-build available for shade projects that would otherwise fall below the statutory threshold. The authority sunsets at the end of 2031, providing an opportunity to assess whether this approach reduces the cost or time associated with installing shade structures before considering whether it should be continued or applied more broadly.

- 6) *Expanding SB 515's exemption for shade structures.* SB 515 (Stern, Chapter 489, Statutes of 2023) created a narrow exception to accessible path-of-travel requirements under the Building Code for freestanding, open-sided shade structures included DSA's pre-check design list. That measure was intended to reduce project costs and facilitate the installation of shade structures on school campuses in response to increasing concerns about extreme heat exposure for students during outdoor activity.

Under the Building Code, alterations to existing school facilities that exceed a specified valuation threshold (currently \$209,208) must also include the provision of an accessible path of travel to the area being altered. Smaller projects that fall below the valuation threshold are generally exempt from these requirements. However, if additional projects or repairs at the same campus within a three-year period cause the cumulative cost of alterations to exceed the threshold, the path-of-travel improvements may be required retroactively for the earlier project. According to the author, this framework may result in relatively small projects, such as playground shade structures, triggering broader accessibility upgrades if other campus work has occurred during the prior three years.

This bill proposes to extend the exemption created by SB 515 to integrated shade structures attached to playground equipment, allowing these projects to remain subject to the 20% path-of-travel cap regardless of whether the valuation threshold would otherwise be exceeded.

- 7) *Balancing climate adaptation with accessibility improvements.* School districts and advocates increasingly view playground shade structures as an important strategy for protecting students from extreme heat during outdoor activity. For example, Los Angeles Unified School District (LAUSD) reports that approximately 380 schools lack shade over play structures. With a \$40 million

budget dedicated to shade shelters, LAUSD estimates it can install structures at approximately 49 schools, prioritizing campuses using its Student Equity Need Index to target investments toward communities most vulnerable to extreme heat. According to LAUSD, reducing project costs associated with accessibility triggers allows available funding to reach a greater number of campuses.

At the same time, accessible path-of-travel requirements serve an important policy purpose: ensuring that accessibility improvements are incorporated into existing school facilities over time as campuses undergo alterations. For students, staff, and visitors who use wheelchairs or have other mobility challenges, these incremental upgrades can determine whether new or improved spaces on campus are reachable. Expanding exemptions from these requirements may allow new amenities to be installed without triggering broader accessibility improvements that might otherwise occur during facility upgrades. As the Committee considers expanding the exemption created by SB 515, it may wish to weigh the benefits of facilitating additional shade installations against the potential for fewer accessibility improvements to be made on aging school campuses.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Assembly Appropriations Committee:

- 1) Ongoing General Fund costs of \$1.1 million for the Labor Commissioner's Office (under the Department of Industrial Relations (DIR)) to accommodate the additional number of projects subject to enforcement of skilled and trained workforce requirements by the Division of Labor Standards Enforcement. According to DIR, under existing law, school districts are required to use a skilled and trained workforce to perform all work for design-build projects or contracts that fall within an apprenticeable occupation in the building and construction trades.
- 2) Minor and absorbable costs to the Division of the State Architect (DSA) within the Department of General Services (DGS).

SUPPORT: (Verified 8/26/26)

Los Angeles Unified School District (source)

OPPOSITION: (Verified 8/26/26)

None received

ASSEMBLY FLOOR: 79-0 8/26/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

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9/22/26 11:44:40

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