

Community RelationsUse of Facilities: Existing Field Structures

In keeping with Board Policy 1330, Orange Unified School District must consent to the construction of any new permanent structure and such construction must be in compliance with the Office of State Architecture ("OSA") and local building code.

An evaluation shall be made by District staff to classify existing field structures as "permanent" or "temporary," as defined by OSA standards. Any existing permanent facilities previously constructed shall be validated by the District, in the manner noted below, to assure compliance with OSA standards. If the permanent facilities previously constructed are not in compliance with OSA standards, then as noted below, the District shall (i) seek a "grandfather" exemption from OSA, (ii) provide for a compliance moratorium, or (iii) by mutual agreement with the facility user seek a fair and reasonable remedy to the OSA conflict. Failure by the District and facility user to agree will result in the consequence noted below, wherein the structure shall be removed and reconstructed at shared (50/50) expense by the district and facility user.

With respect to existing permanent facilities, the District staff, assisted by the facility user, will exercise every effort to investigate and verify that, at time of construction, building codes and all other required permits were obtained and policies at time of construction were followed. If construction was in compliance with local building code or OSA, then District staff shall certify and accept existing facilities as such without exception. If construction was not in compliance with local building code or OSA, then District staff will provide a "grandfather" exemption or, if not available, provide a mutually agreeable moratorium for OSA or local building code compliance. The District staff and facility user shall exercise every effort, in a cooperative spirit, to remedy the facility conflict with OSA standards for permanent structures and local building code. **IF THE "GRANDFATHER" EXEMPTION OR COMPLIANCE MORATORIUM ARE NOT AVAILABLE, AND THE DISTRICT AND FACILITY USER CANNOT AGREE TO A FAIR AND REASONABLE REMEDY TO THE OSA CONFLICT, THEN THE DISTRICT AND FACILITY USER SHALL AGREE TO AN ALTERNATE SOLUTION OF REMOVAL AND RECONSTRUCTION AT SHARED EXPENSE (50/50), WITH THE DISTRICT RECOGNIZING AND ACCEPTING THE CONTRIBUTED LABOR AND COMMODITY OF THE FACILITY USER. ALL RECONSTRUCTION WILL BE IN COMPLIANCE WITH DISTRICT SPECIFICATION AND OSA STANDARDS, AND SHALL AT A MINIMUM MEET THE ORIGINAL, INTENDED USE AND NEEDS OF THE FACILITY USER.**

All temporary facilities are defined as modular or mobile units governed by OSA standards and definition, and are exempt from OSA permanent structure compliance.