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Inspection of School Projects Completed Under School Trade Education Programs

“Providing for Michigan’s Safety in the Built Environment”

Technical bulletins are issued to provide clarification on issues that arise regarding code administration and enforcement. The information provided in the bulletin is developed to promote uniform interpretation and enforcement of the state codes.

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Inspection of School Projects completed under School Trade Education Programs

Issue

Who may conduct inspections of School Projects completed under School Trade Education Programs?

Discussion

Public Act 628 amended the Construction of School Building Act to require inspections of all school buildings by the Bureau of Construction Codes within the Department of Energy, Labor & Economic Growth. Within the text of the law a school building was defined to: “ include all buildings used for school purposes”.

Because the law does not provide specificity as to what constitutes a school building other than “including all buildings used for school purposes”, it leaves to interpretation the question of who may inspect buildings completed under school trade education programs.

It has been suggested that these buildings are not for “school purposes”. An argument may be made either way in this discussion. The fact that a school district owns the property and the function is to provide a “classroom experience” in the practical application of construction technology, has caused this function to be interpreted as a “school purpose”.

Traditionally, a number of Intermediate School Districts and High Schools have included Trade Construction Programs where students would complete the construction of a single family dwelling on property owned by the school district over a course of one or two school years and then sell the project upon completion. To assist in this effort many local inspection programs provided guidance and have worked with local school districts to facilitate the inspection of these projects as well as providing information on code compliance during the course of the educational experience.

The Act also provides two methods for local building code administration programs to provide inspection services to schools:

(1) Through the use of independent third party designation. Section 1b(3)(a) provides:

“By an independent third party designated in the contract governing the construction, remodeling, or reconstruction of a school building. The independent third party shall be responsible for all inspections required to insure compliance with the code. The school authority shall verify that the independent third party named is knowledgeable about construction practices and codes and is otherwise qualified to conduct the inspections. The name of the independent third party to be responsible for conducting inspections shall be submitted to the department with the plans and specifications required by subsection (2). If the department

determines that the independent third party is not qualified to conduct the inspections or is not an independent third party, it shall disapprove of the designation and notify the school authority. All inspection reports prepared by the person designated by the school authority under this subdivision shall be sent to the department upon completion of the inspection. The department may return the report for further work if there are questions relating to the scope of the inspection or whether the construction, remodeling, or reconstruction meets the requirements of the code.”

and (2), Section 1b(5) directs:

“The department shall delegate the responsibility for the administration and enforcement of this act to the applicable agency if both the school board and the governing body of the governmental subdivision have annually certified to the department, in a manner prescribed by the department, that full-time code officials, inspectors, and plan reviewers registered under the building officials and inspectors registration act, 1986 PA 54, MCL 338.2301 to 338.2313, will conduct plan reviews and inspections of school buildings.”

It is in the best interest of the students and local school programs, where it is agreeable between the local inspection agency and the school district, to have contact between the local building department and the educational program through facilitation of inspections of these projects by the local inspection agency. Often the students will work for and become involved in the construction industry in their community. This will give them familiarity with the local inspection agency and the codes as administered by the local code officials.

Conclusion

Therefore, based on the language in Section 1(b)(3)(a) a local school district may designate a local inspection agency as a third party inspector under the provisions of this section of the Act for the purpose of reviewing plans and specifications for the construction of a single family residential structure pursuant to the requirements of the Michigan Residential Code and conduct inspections to determine compliance.

While this section of the Act requires the designation of the third party in the form of the contract, it is equally acceptable to have this arrangement through a letter of agreement even though no contractual arrangement is engaged. The School District should file such designation with the Bureau of Construction Codes as evidence of the delegation under the provisions of this Technical Bulletin.

The local inspection agency should follow all procedures for the issuance of the permits and inspections and record keeping as with any other residential construction project in their community.

Additionally, local inspection agencies are encouraged to work with local school districts in educating the students in the technical requirements of the code and the construction process as determined under the Stille-DeRossett-Hale Single State Construction Code Act and the Michigan Residential Code.

Questions regarding this technical bulletin may be directed to the Michigan Department of Energy, Labor & Economic Growth, Bureau of Construction Codes, Administration, P.O. Box 30254, Lansing MI 48909 or by calling (517) 241-9302.