

Schedule 13

Budget Amendment for FY 2008-09 Budget Cycle

Decision Item FY 2008-09  Base Reduction Item FY 2008-09  Supplemental FY 2007-08  Budget Request Amendment FY 2008-09

Request Title: DFS, Public Schools Inspection  
 Department: Department of Public Safety  
 Priority Number: BA 3

Dept. Approval by: *[Signature]*  
 OSPB Approval: *[Signature]*

Date: January 23, 2008  
 Date: 1/18/08

		1	2	3	4	5	6	7	8	9	10
Fund		Prior-Year Actual FY 2006-07	Appropriation FY 2007-08	Supplemental Request FY 2007-08	Total Revised Request FY 2007-08	Base Request FY 2008-09	Decision/Base Reduction FY 2008-09	November 1 Request FY 2008-09	Budget Amendment FY 2008-09	Total Revised Request FY 2008-09	Change from Base (Column 5) FY 2008-10
Total of All Line Items		1,069,021 6.0	2,061,056 7.0	-	2,061,056 7.0	2,750,580	-	2,750,580	252,008 3.5	3,002,588 3.5	239,017 3.5
FTE		212,485	330,773	-	330,773	507,667	-	507,667	-	507,667	-
GF		226,289	790,420	-	790,420	832,082	-	832,082	-	832,082	-
CF		340,250	711,559	-	711,559	1,116,906	-	1,116,906	-	1,116,906	-
HUTF		289,997	189,178	-	189,178	241,874	-	241,874	252,008	493,882	239,017
CFE		-	39,126	-	39,126	52,051	-	52,051	-	52,051	-
FF		-	-	-	-	-	-	-	-	-	-
Total		497,998	918,026	-	918,026	1,341,006	-	1,341,006	2,653	1,343,659	2,653
(1) Executive Director's Office		109,531	198,657	-	198,657	308,220	-	308,220	-	308,220	-
(A) Administration		25,047	53,967	-	53,967	72,185	-	72,185	-	72,185	-
Amortization Equalization Disbursement		340,250	588,877	-	588,877	844,779	-	844,779	-	844,779	-
CFE		23,170	44,144	-	44,144	76,446	-	76,446	2,653	79,099	2,653
FF		-	32,381	-	32,381	39,376	-	39,376	-	39,376	-
Total		-	185,187	-	185,187	431,272	-	431,272	1,244	432,516	829
(1) Executive Director's Office		-	35,318	-	35,318	98,697	-	98,697	-	98,697	-
(A) Administration		-	11,243	-	11,243	23,266	-	23,266	-	23,266	-
Supplemental Amortization Equalization Disbursement		-	122,682	-	122,682	272,127	-	272,127	-	272,127	-
CFE		-	9,199	-	9,199	24,507	-	24,507	1,244	25,751	829
FF		-	6,745	-	6,745	12,675	-	12,675	-	12,675	-
Total		420,974 6.0	526,131 7.0	-	526,131 7.0	546,590	-	546,590	185,050 3.5	731,640 3.5	186,294 3.5
(3) Office of Preparedness, Security, and Fire Safety		95,277	89,121	-	89,121	93,073	-	93,073	-	93,073	-
Personal Services		76,645	316,346	-	316,346	327,767	-	327,767	-	327,767	-
HUTF		-	120,664	-	120,664	125,750	-	125,750	185,050	310,800	186,294
CFE		249,052	-	-	-	-	-	-	-	-	-
FF		-	-	-	-	-	-	-	-	-	-

**Schedule 13**

**Budget Amendment for FY 2008-09 Budget Cycle**

Decision Item FY 2008-09  Base Reduction Item FY 2008-09  Supplemental FY 2007-08  Budget Request Amendment FY 2008-09

Request Title: **DFS, Public Schools Inspection**

Department: **Department of Public Safety**

Priority Number: **BA 3**

Dept. Approval by: \_\_\_\_\_

Date: **January 23, 2008**

OSPB Approval: \_\_\_\_\_

Date: \_\_\_\_\_

Fund	1	2	3	4	5	6	7	8	9	10
	Prior-Year Actual FY 2006-07	Appropriation FY 2007-08	Supplemental Request FY 2007-08	Total Revised Request FY 2007-08	Base Request FY 2008-09	Decision/Base Reduction FY 2008-09	November 1 Request FY 2008-09	Budget Amendment FY 2008-09	Total Revised Request FY 2008-09	Change from Base (Column 5) FY 2008-09
Total	150,049	431,712	-	431,712	431,712	-	431,712	63,061	494,773	49,241
FTE	7,677	7,677	-	7,677	7,677	-	7,677	-	7,677	-
GF	124,597	408,864	-	408,864	408,864	-	408,864	-	408,864	-
CF										
HUTF										
CFE	17,775	15,171	-	15,171	15,171	-	15,171	63,061	78,232	49,241
FF										

Letternote revised text:

Cash Fund Name/Number, Federal Fund Grant Name: **Public Safety Inspection Fund**

IT Request  Yes  No

Request Affects Other Departments:  Yes  No

If Yes, List Other Departments Here: **Department of Labor and Employment**

**BUDGET AMENDMENT REQUEST for FY 08-09 BUDGET**

Department:	Department of Public Safety
Priority Number:	BA3
Change Request Title:	Public Schools Inspections

**SELECT ONE (click on box):**

- Decision Item FY 08-09
- Base Reduction Item FY 08-09
- Supplemental Request FY 07-08
- Budget Request Amendment FY 08-09

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

This Budget Request Amendment request is for \$252,008 in spending authority from the Public Safety Inspection Fund, created in the Department of Labor and Employment by CRS 8-1-151 (2007), for 3.5 FTE fire inspectors and associated costs for the public school inspection program for FY 08-09. The program is run in coordination with the Department of Labor and Employment, Division of Oil and Public Safety. This request will allow the Division of Fire Safety to conduct fire inspections as required by statute and help address inspection-related safety issues revealed in the public school inspection program portion of the Performance Audit released June 11, 2007 by the State Auditor's Office.

Background and Appropriation History:

**Statutory Background**

In Colorado, the construction of residential and commercial buildings is overseen and regulated by local government building and fire departments. However, construction of K-12 public schools and junior colleges is regulated by the Division of Oil and Public Safety (DOPS) and the Division of Fire Safety (the Division or DFS). Public school construction projects include building new schools or additions to existing schools,

remodeling or renovating existing schools, and placing modular (prefabricated) classrooms on-site. In addition to construction projects, the Division is also responsible for ensuring that public school and junior college buildings meet the requirements of the Fire Code on a continuing basis.

Under HB06-1158, the Division of Fire Safety is charged with ensuring that fire and life safety inspections of public schools and junior colleges are performed, both during construction and on a regular basis.

HB06-1158 established a system where construction plan review and inspection can be delegated to local authorities, only if the local school district or junior college requests the assistance of the local jurisdiction. HB06-1158 also allows local jurisdictions to conduct regular fire inspections of public schools and junior colleges, with or without the school's consent. However, local jurisdictions cannot conduct any plan reviews, construction inspections or regular inspections without being qualified. HB06-1158 mandates a certification program, which is administered by the Division, to establish qualified inspectors. In addition, HB06-1158 does not allow the state to compel a local jurisdiction to conduct plan reviews or inspections nor does it provide for local jurisdictions to have enforcement powers.

Given the mandates and limitations codified by HB06-1158, there are several circumstances where the Division is required to conduct the necessary plan reviews, construction inspections and regular inspections of Colorado's public schools and junior colleges. These circumstances include:

- The local jurisdiction is not qualified to do construction plan reviews and/or inspections
- The local jurisdiction is qualified to do construction plan review and inspections, but local jurisdiction chooses not to do them due to resource limitations
- The local jurisdiction is not qualified to do regular inspections
- The local jurisdiction is qualified to do regular inspections, but chooses not to

- The local jurisdiction is qualified to do regular inspections, conducts the inspections and finds violations that require enforcement action

**Scope**

On a given school-day, there are approximately 794,000 children and 55,000 teachers and administrators occupying Colorado public school buildings.

There are approximately 300 public school and junior college construction projects annually. Of these, 50 are considered major projects that require additional oversight. Once construction is complete and a certificate of occupancy is issued, the school building needs to be inspected on a regular basis, usually annually, to ensure that compliance with the Fire Code is maintained.

There are 1,771 public schools and charter schools in 179 school districts. Many of these schools have campuses with multiple buildings that need inspections. In addition, the state's junior colleges may have multiple campuses, e.g., Colorado Mountain College with 13 campuses, which adds to the number of buildings that must be inspected.

In order to maximize the number of inspectors and plan reviewers available for school construction projects and regular inspections, and ensure that all inspectors are qualified for the types of inspections they are doing, the Division has four different fire inspector certification levels: one for maintenance (annual inspections), one for fire suppression systems, one for construction inspections and one for conducting plan reviews. Each of these certifications requires a test and, for the higher levels, demonstrated experience.

Currently, there are 233 certified inspectors in the state. While the Division published emergency rules to certify more inspectors and actively worked with local jurisdictions to encourage them to participate in the program, these inspectors are in only 58 of the state's 400 fire departments (14.5%). Most of those inspectors will be in jurisdictions that already have mature fire inspection programs. Very few of the smaller, primarily volunteer, fire departments have personnel with the requisite knowledge and experience

to become certified inspectors. These smaller departments tend to be in the more rural areas of the state, which increases the travel distances for the Division's inspectors.

**Problems**

The Office of the State Auditor conducted a performance audit on the DOPS and its final report was released on June 11, 2007. The report found several deficiencies within the public school program, which need to be addressed immediately in order to ensure the safety of the state's public schools and junior colleges.

The performance audit focused on building plan reviews, approved building plans, required inspections, code violations, documentation, resources, and fee collection. The audit review determined that the DOPS is not sufficiently protecting the safety of students and staff in schools. The audit identified weaknesses in all areas—from initial plan review through final building inspection. The audit revealed insufficient resources and expertise in the DOPS's oversight responsibilities.

The performance audit looked at DOPS prior to the implementation of HB06-1158. Therefore, many of the problems identified in the performance audit are now shared by the Division. Examples of problems identified in the performance audit that impact the Division include:

- The plans for one middle school incorrectly approved a basement as a crawl space. If the area was appropriately classified, the Code required that the area have an automatic sprinkler system and that the heating and air ducts be contained in a one-hour, fire-rated shaft to prevent the spread of fire. If a fire were to start in the area, it would spread quickly to the rest of the building and could cause serious injuries or fatalities.
- A school administration building had an occupancy load calculation for the entire building that was erroneously low; as a result, the building was built without the required automatic fire sprinkler system.

- The plans for a middle school were approved even though a fire wall did not have the required bracing and connections to ensure it would not collapse if a fire were to occur.
- The plans for an elementary school included an occupancy load calculation for two kindergarten classrooms that was erroneously low – each room had only one exit. If the correct calculation had been used, each room would have two exits.

Without proper plan reviews and construction inspections, these types of problems will continue to occur.

### **Appropriation History**

For the fiscal year beginning July 1, 2006, \$49,020 was appropriated to the Division from the Public Safety Inspection Fund (DOPS) created in CRS 8-1-151 (2007) and \$6,625 Cash Fund spending authority was appropriated from the Division's Firefighter and First Responder Certification Fund established in CRS 24-33.5-1207 (2007). A similar amount was appropriated for fiscal year beginning July 1, 2007. This level of funding pays for a portion (approximately 50 percent) of the Division's fire protection engineer.

Under those resource conditions, less than one percent of regular fire inspections, less than 50 percent of plan reviews, and less than 18 percent of construction inspections are being completed as required by statute.

On August 21, 2007 a FY 2007-08 emergency supplemental of \$78,312 in Cash Funds spending authority from the Public Safety Inspection Fund was approved to hire contract fire inspectors. While the Division has five contract inspectors doing a limited number of inspections, the Division encountered difficulty in recruiting certified contract inspectors. When asked why they will not contract for inspections outside of their jurisdiction, inspectors reported a concern for personal liability. In addition, all of the contract inspectors currently work full-time for other jurisdictions, which limits the time they have available to conduct inspections for the Division. Finally, contract inspectors are costly; inspectors working for the Division charge up to \$60 per hour, while inspectors

associated with professional engineering firms, who are more readily available, charge up to \$150 per hour.

General Description of Request:

This Budget Request Amendment is for \$252,008 in spending authority from the Public Safety Inspection Fund (DOPS), created in CRS 8-1-151 (2007), for 3.5 FTE fire inspectors (Fire Inspector II) and associated costs for the Division's public school inspection program for FY 08-09. This request will help address inspection-related issues revealed in the public school inspection program portion of the Performance Audit released June 11, 2007 by the State Auditor's Office and begin to develop a program where public schools are inspected on a regular basis.

Currently, the Division does not have any fire inspector FTE assigned to the public school inspection program. The new inspectors, along with the existing Fire Protection Engineer, will allow the Division to develop and implement its long-term school inspection program.

As the state's resources are limited and there is a practical limit to what the Division can do on its own, the success of the program will rely on active participation by local jurisdictions. The key to the long-term success of the program will be the Division's ability to continue to encourage local jurisdictions to become certified to conduct inspections.

The request anticipates that 45 percent of maintenance inspections will eventually be conducted by local jurisdictions. Because construction inspections and plan reviews take a higher level of expertise, the CDPS anticipates that 25 percent of school construction inspections will be eventually conducted by local jurisdictions. With the continued support of local jurisdictions, it is estimated that the Division will require approximately 8,000 person-hours annually devoted to school inspections and associated meetings. With administrative and training time, this equates to three and one-half (3.5) FTE on an annual basis.<sup>1</sup>

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<sup>1</sup> Legislation is currently being contemplated that would give the Division the authority to delegate enforcement power to local jurisdictions, which would increase the number of local jurisdictions participating in inspections and decrease the number of FTE required to two.

The Division believes the Inspector II classification is the best fit for these FTE. The Inspector II is a “fully-operational single trade inspector . . . [that applies] standards and codes of a trade in inspecting installation of systems or construction of structures, including issuing certificates of occupancy . . . operat[ing] independently in performing the full range of trades inspections.”<sup>2</sup> CDPS has experienced difficulty recruiting for inspectors/engineers within the General Professional series. For similar positions, most fire departments start and pay at a higher salary than the State’s pay range minimum for that classification.

Consequences if Not Funded:

The Division is committed to ensuring that schools are safe prior to being occupied. Therefore, certificates of occupancy for school construction projects may be delayed or curtailed due to the inability to complete necessary plan reviews and inspections for school construction projects. The delays may displace students from the school that they were supposed to attend, causing overcrowding and busing issues for some school districts.

Regular fire inspections for approximately 67 percent of the state’s public schools will not be conducted. The lack of regular fire inspections will put students and school employees at greater risk.

The impact will disproportionately impact communities with smaller populations as they are unlikely to have certified fire inspectors in their local jurisdictions.

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<sup>2</sup> State of Colorado (Department of Personnel and Administration) CLASS SERIES DESCRIPTION - INSPECTOR (July 2000)

Calculations for Request:

<b>Summary of Request FY 08-09</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Cash Funds Exempt</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$252,008			\$252,008		3.5
EDO Amortization Equalization Disbursement	\$2,653			\$2,653		
EDO Supplemental Amortization Equalization Disbursement	\$1,244			\$1,244		
Personal Services	\$185,050			\$185,050		3.5
Operating Expenses	\$63,061			\$63,061		

*STATE OF COLORADO FY 08-09 BUDGET REQUEST AMENDMENT: DEPARTMENT OF PUBLIC SAFETY*

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<b>Summary of Request FY 09-10</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Cash Funds Exempt</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$239,017			\$239,017		3.5
EDO Amortization Equalization Disbursement	\$2,653			\$2,653		
EDO Supplemental Amortization Equalization Disbursement	\$829			\$829		
Personal Services	\$186,294			\$186,294		3.5
Operating Expenses	\$49,241			\$49,241		

STATE OF COLORADO FY 08-09 BUDGET REQUEST AMENDMENT: DEPARTMENT OF PUBLIC SAFETY

Number of Public Schools Junior College Buildings Subject to Inspection	Number of Primary Inspections Delegated	Number of Inspections Conducted by the DFS	Number of Re-Inspections Conducted by the Division	Total Inspections Conducted by the Division
1800	810	990	487	1477

Annual Construction Projects	Number of Projects	Number of Construction Inspections Per Project	Number of Inspections	Number of Inspections Delegated	Number of Inspections Conducted by the Division	Number of Construction Meetings Attended by the DFS Proposed Inspectors
Medium Projects	100	2	200	50	150	75
Small Projects	150	0.54	82	20.5	61.5	50
Major Projects	50	4	200	50	150	150
<b>Total</b>	<b>300</b>	<b>N/A</b>	<b>482</b>	<b>120.5</b>	<b>361.5</b>	<b>275</b>

Total Inspections (Maintenance and Construction)	1477
Average Time per Inspection, Including Travel (hours)	4.5
Total Construction Meetings	275
Average Time for Construction Meetings, Including Travel (hours)	2
Time Required for Inspections	6646.5
Time Required for Construction Meetings	550
Total Inspector Annual Time	7196.5
<b>FTE (2080 hours per year) Required</b>	<b>3.4</b>

(Rounded up to 3.5 FTE for this request)

STATE OF COLORADO FY 08-09 BUDGET REQUEST AMENDMENT: DEPARTMENT OF PUBLIC SAFETY

FTE and Operating Costs				GRAND TOTAL	
Fiscal Year(s) of Request		FY 08-09	FY 09-10	FY 08-09	FY 09-10
<b>PERSONAL SERVICES</b>	<b>Title:</b>	<b>Fire Inspector II</b>			
Number of PERSONS / class title		4	4		
Number of months <u>working in</u> FY 08-09 and FY 09-10		12	12		
Number months <u>paid in</u> FY 08-09 and FY 09-10*		12	12		
Calculated FTE per classification		<b>3.50</b>	<b>3.50</b>	3.50	3.50
Annual base salary		165,816	165,816		
Salary	<b>\$3,948</b>	165,816	165,816		
PERA	<b>10.15%</b>	\$16,830	\$16,830		
Medicare	<b>1.45%</b>	\$2,404	\$2,404		
Prior Year SAED	<b>N/A</b>		\$1,244		
<b>Subtotal Personal Services at Division Level</b>		<b>185,050</b>	<b>186,294</b>	<b>\$185,050</b>	<b>\$186,294</b>
<b>Subtotal AED at EDO Long Bill Group Level</b>	<b>1.60%</b>	<b>\$2,653</b>	<b>\$2,653</b>	<b>\$2,653</b>	<b>\$2,653</b>
<b>Subtotal SAED at EDO Long Bill Group Level</b>	<b>Varies</b>	<b>\$1,244</b>	<b>\$829</b>	<b>\$1,244</b>	<b>\$829</b>
Department Specific Average Cost for HLD / Employee**		\$0	\$0		
<b>Subtotal for Health, Life, Dental (if over 20 FTE)</b>	<b>N/A</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Subtotal for Short Term Disability (if over 20 FTE)</b>	<b>0.13%</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>OPERATING EXPENSES</b>					
Supplies @ \$500/\$500***	<b>\$500</b>	\$1,750	\$1,750		
Telephone Base @ \$450/\$450*** (4 phones)	<b>\$450</b>	\$1,800	\$1,800		
Personal Vehicle Mileage Reimbursement – Average of 39.1 miles per inspection (1,475 inspections, 275 meetings) = 68,438 miles at \$0.46 per mile (State Fiscal Rule)	<b>\$0.46</b>	\$31,481	\$31,481		
Per Diem – Average of 2 days per week per person, 50 weeks = 350 days at \$25 per day	<b>\$25</b>	\$8,750	\$8,750		
Lodging – Average of 2 nights per month per FTE , 84 nights at \$65 per night (per DLE/DOPS calculations for inspector/plan reviewer	<b>\$65</b>	\$5,460	\$5,460		
Computer @ \$900/\$0	<b>\$900</b>	\$3,600	\$0		

FTE and Operating Costs				GRAND TOTAL	
Fiscal Year(s) of Request		FY 08-09	FY 09-10	FY 08-09	FY 09-10
Office Suite Software @ \$330/\$0	\$330	\$1,320	\$0	\$1,320	\$0
Office Equipment @ \$2,225 /\$0	\$2,225	\$8,900	\$0	\$8,900	\$0
<b>Subtotal Operating Expenses</b>		<b>\$63,061</b>	<b>\$49,241</b>	<b>\$63,061</b>	<b>\$49,241</b>
<b>GRAND TOTAL ALL COSTS</b>		<b>252,008</b>	<b>239,017</b>	<b>\$252,008</b>	<b>\$239,017</b>

Assumptions for Calculations:

The Division of Fire Safety anticipates the need to conduct 1,475 school inspections on an annual basis. In addition, the Division anticipates that it will need to have an inspector present at 275 construction meetings annually. The number and type of construction projects were derived from information supplied by the DOPS. The number of schools to be inspected comes from reports produced by the Departments of Education and Higher Education. The percent of construction projects delegated to local jurisdictions is estimated to be 25. The percent of maintenance inspections that can be delegated to local jurisdictions is estimated to be 45. These percentages are based upon estimates provided by the Fire Marshals Association of Colorado, the number of certified inspectors in the International Code Council’s certification database, and experience with existing delegations. The time it takes to conduct inspections and travel time are based on estimates from inspections the Division has conducted.

The salary for 3.5 FTE Inspector II positions is calculated at the minimum of the range for the classification, which is \$3,948 per month (per the Proposed Compensation Plan dated 12/31/07). The current range is \$3,948 to \$5,558.

PERA, Medicare, AED and SAED are calculated per common policy instructions.

One-time (capital outlay) operating and ongoing costs are based on approved common policy allowed for additional FTE.

For the inspections the Division has performed in the past, the average distance traveled is 208.3 miles per inspection. The Division can substantially lower that average by having people dedicated to school inspections, allowing multiple inspections to be conducted in one trip. Also, by strategically locating those dedicated inspectors throughout the state, the average could be reduced to an estimated 39.1 miles per inspection. This would total 68,438 miles, per year, at \$0.46 per mile, per State Fiscal Rules. For the lodging calculation, expressed as a monthly, estimated average, it is likely that each inspector will occasionally spend several nights away from home on one “regional” trip. The average of 84 days was based upon three inspectors doing seven regional, four-day trips. Likewise, the estimate of two days per week per inspector for per diem is an average; there will be some partial days of travel required for the longer trips, but it is likely they will involve shorter trips that may not involve lodging.

Funds requested are Cash Funds Exempt (CFE) to CDPS, to be transferred from the Department of Labor and Employment, out of the Public Safety Inspection Fund (CRS 8-1-151 (2007)).

Impact on Other Government Agencies:

The Department of Public Safety has been cooperating and coordinating on this request with the DOPS in the Department of Labor and Employment. The request impacts DOPS in that school construction projects need approval from the Division, or a delegated fire department, before DOPS can issue a certificate of occupancy to a school.

The request also impacts DOPS because it is funded by fees, which DOPS establishes through rulemaking, that are credited to the Public Safety Inspection Fund (DOPS) created in CRS 8-1-151 (2007).

Cost Benefit Analysis:

In Colorado, on average, there are 235 fires in educational occupancies annually. Like most fires, those in educational occupancies are largely preventable through increased supervision, fire prevention inspections, and fire safety education programs. For those

fires that cannot be prevented, compliance with the Fire Code helps ensure that children, adult students, faculty and staff can be safely evacuated from the structure during an emergency. Compliance with the Fire Code also mitigates the effects of those fires that cannot be prevented.

The long-term benefit of this request is that Colorado's schools will be safer for students, faculty and staff. The short-term benefits of this request is that the Division will be better able to assist the DOPS to re-inspect those schools identified in the Performance Audit and deal with their backlog of current construction projects. This will help prevent delayed openings of schools and the subsequent displacement of students.

Implementation Schedule:

<b>Task</b>	<b>Month/Year</b>
Rules Written	July 2007
Rules Adopted	August 2007
Rules Effective	October 2007
Emergency Supplemental For Contract Inspectors Approved	August 2007
Contract Inspectors Start	November 2007
FTE Hired	July 2008
Start-Up Date	July 2008

Statutory and Federal Authority:

**Relevant Public School Construction Statute**

*CRS 22-32-124 (2007). Building codes - zoning - planning - definitions.*

(1) ... "All buildings and structures shall be constructed in conformity with the building and fire codes adopted by the director of the division of oil and public safety in the department of labor and employment..."

**Relevant Junior College Statute**

*CRS 23-71-122 (2007). Junior college board of trustees - specific powers.*

(1) In addition to any other power granted by law to a board of trustees of a junior college district, each board shall have the power to:

**Relevant Division of Fire Safety Statutes**

*CRS 24-33.5-1203 (2007). Duties of the division.*

(1) The division shall perform the following duties:

(p) Conduct construction plan reviews and inspect public school and junior college buildings and structures in accordance with sections 22-32-124 (2) (a) and 23-71-122 (1) (v) (II), C.R.S.

*CRS 24-33.5-1211 (2007). Inspector certification.*

(1) The division shall certify a person with fire safety responsibilities who is employed by, under contract to, or volunteers services to the state or a governing body as a fire inspector if the person files an application with the division for certification on forms provided by the division, pays the required certification fee, is at least eighteen years of age...

**Public Safety Fund Statute**

*CRS 8-1-151 (2007). Public safety inspection fund created.*

There is hereby created in the state treasury a fund to be known as the public safety inspection fund, which shall consist of moneys credited thereto pursuant to section 8-20-101 (3) and sections 9-7-108.5 and 22-32-124 (2), C.R.S. All moneys in the public safety inspection fund shall be subject to annual appropriation by the general assembly for the public safety inspection activities of the division of oil and public safety. The moneys in the public safety inspection fund shall not be credited or transferred to the general fund or any other fund of the state.

Performance Measures:

The performance measures for this request are consistent with the performance measures in the Department’s Strategic Plan. Specifically, to “Inspect, or cause inspections of, 80 percent of public schools and junior collages for fire code compliance on an annual basis.” As this is a new program, the Division needs to establish baselines prior to establishing a more outcome-based performance measures. Additional performance measures that are included as workload measures in the Department’s Strategic Plan are in the table below.

**School Safety Inspection Program**

	<b>FY06 Actual</b>	<b>FY07 Projected</b>	<b>FY08 Target</b>	<b>FY09 Target</b>	<b>FY10 Target</b>
Percent of Public Schools and Junior Colleges that have Annual State Level Fire Inspections	0%	1%	80%	90%	90%
Number of Annual Inspections Overseen by DFS that are Conducted by Local Fire Departments	UNK.	UNK	600	600	600
Number Annual Inspections Conducted by the DFS	N/A	1	1,200	1,500	1,500
Number of Building Plan Reviews for Fire Safety Conducted by the DFS	N/A	38	80	80	80
Number of Construction Inspections Conducted	N/A	29	316	316	316
Number of Consultations and Meetings with Architects, Engineers, Contractors, Local Fire Departments, and the Division of Oil and Public Safety (CDLE).	N/A	40	240	240	240
Number of Fire Inspectors Certified	N/A	0	200	200	200