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SB-1182 Master Plan for Healthy, Sustainable, and Climate-Resilient Schools. (2023-2024)

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ENROLLED AUGUST 29, 2024

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AMENDED IN SENATE MAY 16, 2024

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

SENATE BILL

NO. 1182

Introduced by Senator Gonzalez
(Principal coauthor: Assembly Member Muratsuchi)
(Coauthors: Senators Becker and Rubio)

February 14, 2024

An act to add Chapter 16 (commencing with Section 25993) to Division 15 of the Public Resources Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1182, Gonzalez. Master Plan for Healthy, Sustainable, and Climate-Resilient Schools.

Existing law requires the State Energy Resources Conservation and Development Commission to develop contingency plans to deal with possible shortages of electricity or fuel supplies to protect public health, safety, and welfare. Existing law establishes the Clean Energy Job Creation Program for purposes of funding projects for, among other things, energy efficiency retrofits and clean energy installations, and related improvements and repairs that contribute to reduced operating costs and improved health and safety conditions, on public schools. Existing law requires certain moneys appropriated for purposes of the program to be allocated to local educational agencies, as specified. Existing law authorizes the commission to adjust the funding allocation to local educational agencies and requires the commission, in allocating grants to local educational agencies, to give priority to certain local educational agencies, as provided.

This bill would require the commission to develop a Master Plan for Healthy, Sustainable, and Climate-Resilient Schools on or before March 31, 2026. The bill would require the commission to consult with specified state agencies and engage with a diverse group of stakeholders and experts regarding the development of the master plan, as provided. The bill would require the master

plan to include specified elements, including, but not limited to, assessments of a representative sample of the state's public elementary and secondary school buildings and grounds, as provided, and a set of priorities, benchmarks, and milestones for health, resilience, and decarbonization of public school campuses and support facilities.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 16 (commencing with Section 25993) is added to Division 15 of the Public Resources Code, to read:

CHAPTER 16. Master Plan for Healthy, Sustainable, and Climate-Resilient Schools

25993. For purposes of this chapter, the following definitions apply:

(a) "Local educational agency" means a school district, county office of education, charter school, or state special school pursuant to Part 32 (commencing with Section 59000) of Division 4 of Title 2 of the Education Code.

(b) "Master plan" means the Master Plan for Healthy, Sustainable, and Climate-Resilient Schools described in subdivision (a) of Section 25993.1.

25993.1. (a) The commission, in consultation with the State Department of Education, Division of the State Architect, Office of Public School Construction, and Natural Resources Agency, shall develop a Master Plan for Healthy, Sustainable, and Climate-Resilient Schools on or before March 31, 2026.

(b) For purposes of the development of the master plan pursuant to subdivision (a), the commission shall engage a diverse group of stakeholders and experts that reflect the geographic and climate diversity of the state to inform the master plan's recommendations, including all of the following:

(1) Representatives of local educational agencies or their designees, including school administrators, members of governing boards of school districts, including small school districts, members of governing bodies of charter schools, and members of county boards of education.

(2) Private sector design professionals, including, but not limited to, building and landscape architects and engineers.

(3) School facility advocacy organizations.

(4) Educators.

(5) Representatives of classified school employee unions and building and construction trades councils.

(6) Pupil leaders.

(7) Parent advocates.

(8) Subject matter and technical experts from the higher education and nonprofit sectors.

(9) Representatives from state agencies that support or regulate school infrastructure.

(c) To ensure that all objectives, provisions, and recommendations expressed in the master plan also express and enact the state's commitment to educational equity and environmental justice, the commission shall undertake or solicit, and be informed by, analysis employing geographic cross-referencing among areas where climate-related hazards, such as heat indices and air pollution, are elevated and where there are concentrated populations of pupils who may be especially vulnerable to stresses and disruptions, including socioeconomically disadvantaged pupils, pupils of color, English learners, and pupils with disabilities.

(d) To ensure that state and local funding is used efficiently, effectively, and with the greatest return on investment, the commission shall consult with state and federal leaders and technical experts to ensure that the master plan positions California schools to make the most of new unlimited, noncompetitive incentives for schools to deploy clean energy technologies, including funding available pursuant to the federal Infrastructure Investment and Jobs Act (Public Law 117-58) and Inflation Reduction Act of 2022 (Public Law 117-169).

(e) The completed master plan shall be provided electronically to the Governor, the appropriate policy and fiscal committees of the Legislature, the Superintendent of Public Instruction, the State Architect, the Office of Public School Construction, and the Secretary of the Natural Resources Agency. The commission, State Department of Education, Division of the State Architect, Office of Public School Construction, and Natural Resources Agency shall make the master plan publicly available on their respective internet websites.

25993.2. The master plan shall include all of the following:

(a) (1) An assessment of a representative sample of the state's public elementary and secondary school buildings and grounds that includes building and site sizes and location, building age, whether and when the building and building systems such as heating, ventilation, and air conditioning were last modernized, age and fuel source for all building systems and major appliances, scores under the United States Environmental Protection Agency's Energy Star system, information related to available shade, information related to outdoor ground surface materials, and energy and water expenditures in the three most recent school years. The plan shall also include recommendations for building ongoing capacity and systems to track and analyze this data to inform planning and investment decisions. The commission shall catalog and use existing and previously collected data on the condition and performance of school infrastructure to inform the plan. The assessment of a representative sample of the state's public school buildings and grounds shall include information on emissions of greenhouse gases, sustainability, and climate vulnerability.

(2) For purposes of this subdivision, the sample of school buildings and grounds shall be representative of geographic and climate zones, the size of the local educational agency's pupil population, building age, urban and rural communities, and pupil demographics. Through study of the representative sample of schools, the assessment shall identify the aspects of a school that indicate high-priority status for intervention and investment.

(3) For purposes of this subdivision, the representative sample may be provided by local educational agencies that agree to participate in the master plan's development.

(b) A set of priorities, benchmarks, and milestones for health, resilience, and decarbonization of California's public school campuses and support facilities in alignment with the state's climate and equity goals. These priorities, benchmarks, and milestones shall do all of the following:

(1) Encompass recommendations for school buildings, school grounds, and support facilities.

(2) Account for the need for local educational agencies to maintain fiscal sustainability and responsibly invest local and state funding.

(3) Prioritize schools and communities that are disproportionately impacted by climate-related hazards and by structural inequities in the state's economy and education system.

(c) Actionable steps and recommendations for school, local educational agency, and state agency roles within each priority area and an estimate of the costs to implement and achieve the benchmarks and milestones over a multiyear period, and the fiscal, health, and learning costs of inaction.

(d) Guidance for the Legislature and Governor to inform the development of infrastructure-related programs and the identification of the financial resources for local educational agencies to implement the recommendations and achieve the goals of the master plan. This guidance shall be informed by policy and institutional analyses to understand state and local climate adaptation capacities, limitations, including existing demand for available financial resources, and opportunities within California's public school system.

(e) Recommendations and cost estimates for future school infrastructure spending, including guidance on infrastructure-related budget proposals and state bond measures, to do all of the following:

(1) Align spending with the state's goal of achieving carbon neutrality by 2045 and climate adaptation and extreme heat action plans.

(2) Position California schools to take full advantage of incentives and funding for decarbonization and climate adaptation within relevant federal legislation, including the Infrastructure Investment and Jobs Act (Public Law 117-58) and Inflation Reduction Act of 2022 (Public Law 117-169).

(3) Equitably identify climate-vulnerable communities for priority investment.

(f) Guidance for local school infrastructure funding measures that align with state decarbonization and climate adaptation goals.

(g) Guidance on the roles of state and county agencies and other partners in providing technical assistance to local educational agencies to support sustainable and climate-resilient school infrastructure.

(h) Recommendations to ensure that local educational agencies have access to sufficient technical assistance, professional learning, training programs, and pipelines of sustainability and climate-resilience personnel to implement decarbonization and adaptation plans that include high road labor standards, project labor agreements with unionized workforces, workforce development, and training opportunities for current local educational agency employees who construct, operate, and maintain

school infrastructure. The recommendations and guidelines shall be consistent with Section 45103.1 of the Education Code regarding the roles of current employees and staff in the implementation of the plan.

(i) Recommendations for state and local leaders from the public and private sectors to connect sustainable and climate-resilient school buildings and grounds to learning opportunities for pupils, green career and technical education, and pathways to green economy careers that support and advance statewide sustainability and resilience.

(j) Recommendations for county and city governments to more effectively include local educational agencies in their decarbonization and climate adaptation efforts.

25993.3. To guide the implementation of well-aligned state investments in healthy, sustainable, and climate-resilient school infrastructure, the commission, or the commission's designee, shall enter into a contract with one or more nongovernmental entities to review existing research and data, support and coordinate the master plan development process, and conduct research on priority areas of study identified pursuant to Section 25993.2.