

AMENDED IN SENATE AUGUST 17, 2004

AMENDED IN SENATE JULY 16, 2003

AMENDED IN ASSEMBLY JUNE 2, 2003

AMENDED IN ASSEMBLY MAY 14, 2003

AMENDED IN ASSEMBLY MAY 5, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 736

Introduced by Assembly Member Hancock

February 19, 2003

An act to add Section 17077.36 to the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 736, as amended, Hancock. School facilities.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. The act authorizes an applicant school district to include plan design and other project components that seek school facility energy self-sufficiency and to seek a grant adjustment for the state's share of the increased costs associated with those components, as specified.

This bill would require the State Allocation Board to adopt regulations, as provided, to implement design standards for school



facilities in accordance with the guidelines established by the Collaborative for High Performance Schools. The bill would provide that eligibility for funding for projects pursuant to the act from the proceeds of general obligation bonds approved by the voters after January 1, 2006, is contingent on the applicant school district meeting design standards equivalent to those regulations.

~~Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to administer the allocation of funds for public school facilities. Existing law requires the State Allocation Board to adjust a project grant amount not to exceed 5%, for the state's share of costs associated with design and other plan components related to school facility energy efficiency.~~

~~This bill would state the intent of the Legislature to encourage new schools to be designed according to the criteria developed by the Collaborative for High Performance Schools. The bill would also state that it is the intent of the Legislature, through subsequent enactment, to create incentives for school districts to design schools that meet energy efficiency, conservation, cost-effectiveness, and environmental standards and to provide grant adjustments for meeting these standards from funds from a school facilities bond approved by the voters after 2004, except that this does not apply to projects funded by the proceeds of bonds approved by the voters in or before 2004.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. (a) The Legislature hereby finds and declares~~
- 2 *SECTION 1. (a) The Legislature hereby finds and declares*
- 3 *the following:*
- 4 *(1) The Collaborative for High Performance Schools (CHPS)*
- 5 *has developed a set of criteria for new school design that, if*
- 6 *adopted, lead to school buildings that enhance pupil performance*
- 7 *and teacher satisfaction, reduce operating costs, and minimize*
- 8 *environmental impacts.*
- 9 *(2) CHPS is a nonprofit entity that includes, but is not limited*
- 10 *to, state agencies, investor owned and municipal utilities, school*
- 11 *districts, and nongovernmental organizations that promote high*
- 12 *performance standards in public facilities.*



1 (3) CHPS goals are to assist school districts in the design and
2 construction of school facilities that enhance pupil performance
3 and teacher satisfaction, reduce operating costs, and minimize
4 environmental impacts.

5 (4) CHPS has published a three volume Best Practices Manual
6 to provide school districts with technical assistance tools to design
7 and construct high performance school facilities. CHPS has also
8 trained hundreds of school district staff, architects, contractors,
9 and engineers that work on educational facilities.

10 (5) The criteria developed by CHPS has been adapted for use
11 by the state of Massachusetts, the federal Department of Energy,
12 and New York State Energy Research and Development Authority.
13 Ten different California school districts have passed district
14 resolutions to ensure all future school buildings meet the CHPS
15 guidelines, including Los Angeles Unified, Santa Ana Unified, San
16 Rafael Unified, Dry Creek Joint Elementary, Coast Community
17 College District, San Marcos Unified, San Francisco Unified, San
18 Diego Unified, Burbank Unified, and Visalia Unified.

19 (b) It is therefore the intent of the Legislature to encourage
20 designs for new and modernization school construction projects to
21 meet the criteria developed by CHPS.

22 SEC. 2. Section 17077.36 is added to the Education Code, to
23 read:

24 17077.36. (a) By January 1, 2006, the board shall adopt
25 regulations to implement design standards for school facilities in
26 accordance with the guidelines established by the Collaborative
27 for High Performance Schools, and incorporate the minimum
28 design and construction criteria contained in the Best Practices
29 Manual developed by the Collaborative for High Performance
30 Schools.

31 (b) In developing the regulations pursuant to subdivision (a),
32 the board shall consider recommendations of the United States
33 Green Building Council and the Collaborative for High
34 Performance Schools and shall address the following project
35 components in the regulations:

36 (1) Energy efficiency, conservation, or renewable generation
37 measures.

38 (2) Water efficiency, conservation, and reuse measures.

39 (3) Material efficiency, conservation, and reuse measures.



1 (4) Indoor environmental quality measures, including indoor
2 air quality.

3 (5) Environmental and community sensitive facility siting
4 measures.

5 (6) Comprehensive maintenance and operations plan that
6 incorporates high performance ideals.

7 (c) Eligibility for funding for projects pursuant to this chapter
8 from the proceeds of general obligation bonds approved by the
9 voters after January 1, 2006, is contingent on the applicant school
10 district meeting design standards equivalent to the regulations
11 adopted by the board pursuant to subdivision (a).

12 ~~that the Collaborative for High Performance Schools has~~
13 ~~developed a set of criteria for new school design that, if adopted,~~
14 ~~lead to school buildings that enhance pupil performance and~~
15 ~~teacher satisfaction, reduce operating costs, and minimize~~
16 ~~environmental impacts.~~

17 (b) ~~It is therefore the intent of the Legislature to encourage new~~
18 ~~schools to be designed according to criteria developed by the~~
19 ~~Collaborative for High Performance Schools.~~

20 (c) ~~It is further the intent of the Legislature to provide school~~
21 ~~districts with a financial incentive for energy efficiency.~~

22 SEC. 2. (a) ~~It is the intent of the Legislature, through~~
23 ~~subsequent enactment, to create incentives for school districts to~~
24 ~~design schools that meet energy efficiency, conservation,~~
25 ~~cost-effectiveness, and environmental standards and to provide~~
26 ~~grant adjustments for meeting these standards at an amount not to~~
27 ~~exceed 3 percent of the state grant awarded for the project, from~~
28 ~~funds from a school facilities bond approved by the voters after~~
29 ~~2004.~~

30 (b) ~~It is not the intent of the Legislature for subdivision (a) to~~
31 ~~apply to projects funded by the proceeds of bonds approved by the~~
32 ~~voters in or before 2004.~~

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