



August 16, 2024

The Honorable Jesse Gabriel  
Chair, Assembly Budget Committee  
Capitol Office, 1021 O Street, Suite 8230  
Sacramento, CA 95814

The Honorable Scott Weiner  
Chair, Senate Budget & Fiscal Review  
Capitol Office, 1021 O Street, Suite 8620  
Sacramento, CA 95814

**RE: CalSHAPE Elimination**

**Position: OPPOSE**

Dear California Budget Chairs:

The undersigned organizations write to oppose any effort to prematurely end the HVAC provisions of the CalSHAPE program.

CalSHAPE, or the California Schools Healthy Air, Plumbing, and Efficiency Program, funds HVAC (heating, ventilation, and air conditioning) improvements in schools. The program has already paid for many such upgrades to “*...improve indoor air quality in schools, including filter replacement; installation of carbon dioxide monitors in each classroom; assessment, maintenance, and repair of HVAC systems<sup>[i]</sup>*”. Currently about \$350 million is left in the overall fund, which includes funding for plumbing and HVAC, with around \$250 million dedicated to HVAC improvements.

These investments will be especially important given the requirements of our new indoor heat standard and the ever-worsening hazard of wildfire-affected air. The indoor heat standard requires, among other things, that employers utilize engineering controls to bring indoor temperatures below 87 degrees, “*...except to the extent that the employer demonstrates such controls are infeasible.<sup>[ii]</sup>*”

CalSHAPE funds will be essential for HVAC upgrades to be economically feasible for some school employers. Should these funds be taken away, it’s entirely possible these employers will be unable to adequately upgrade their HVAC systems but will be able to successfully argue economic infeasibility before the OSHAB, leaving workers and students suffering in much hotter classrooms than would have been experienced were CalSHAPE funds available.

Sadly, the effects of indoor heat reach far beyond discomfort. Available research confirms that cognitive function and memory decline as temperature rises, with some evidence even showing an increased tendency towards violence. Should temperature keep climbing, heat illness and heatstroke become serious concerns, and every year, too many Californians die from these conditions. Our students and school workers deserve, at a minimum, a learning environment free from such hazards.

Such HVAC upgrades often install MERV 13 filters or other controls to improve indoor air quality. Not only do these upgrades further improve the ability of students to concentrate and learn in affected buildings, such filters reduce the risk of illness from airborne transmissible disease—such as COVID—and harmful particulate matter caused by nearby wildfires or freeways.

It should also be mentioned that HVAC upgrades often occur to improve the efficiency of such devices, and whether these devices use fossil fuels or more renewable sources, the amount of energy they require to operate as intended is massive. Given the sheer size of California's school infrastructure, and the staggering number of school HVAC systems throughout the state, investing in efficiency upgrades would move us significantly closer to achieving our overall climate goals.

Despite these critically important needs, a July 31<sup>st</sup> application deadline for schools to apply for the final round of HVAC funding was moved to July 1<sup>st</sup> at the very end of June, with schools receiving only one business days' notice of the change. An October 31<sup>st</sup> grant processing deadline was also moved without notice to July 1<sup>st</sup>, cutting off access to these funds for grant applicants already in the pipeline.

These sudden and plainly unfair changes occurred alongside very credible rumors of a looming trailer bill that would prematurely drain the fund and return the money to ratepayers. Not only does this situation present grave concern for the health and safety of students and workers, this proposal would, on average, only offer up to a \$23 one-time refund for each covered ratepayer. To so directly sacrifice the health of so many Californians for such a small refund would be simply unconscionable.

We urge the California Energy Commission to return the grant processing deadline to October 31<sup>st</sup> and allow sufficient time to consider applications that would have been ready by July 31<sup>st</sup>. We have also heard of concerns with the quality of work produced by some contractors, as well as other concerns with the bid awarding process. The CalSHAPE guidelines emphasize strict adherence to workforce standards to prevent issues seen in past programs that failed to meet design intent. These workforce standards must be rigorously followed to ensure high-quality work and successful project outcomes. We believe these concerns can be addressed through coordination with affected building trades unions, other key stakeholders, and the California Energy Commission. We stand willing to help with this coordination however we can.

In addition, the rumored TBL would be opposed by a large coalition of labor unions, associations focused on energy use and clean air in schools, worker and student safety-minded nonprofits, and educational and environmental groups. We urge the legislature to not prematurely repeal this program that could fund many important efforts to keep students and workers safe while helping California achieve our climate goals.

Sincerely,

Mitch Steiger, Legislative Representative  
**CFT – A Union of Educators & Classified Professionals, AFT, AFL-CIO**  
MS/jc:opeiu29:afl-cio

Tristan Brown, Legislative Director  
**CFT – A Union of Educators & Classified Professionals, AFT, AFL-CIO**

Cassie Mancini, Legislative Advocate  
**California School Employees Association (CSEA), AFL-CIO**

Sandra Barreiro, Governmental Relations Advocate  
**SEIU**

Katie Hardeman, Legislative Advocate  
**California Teachers Association**

Catherine V. Houston, Legislative, Political and Rapid Response Coordinator  
**United Steelworkers (USW) District 12**

Vince Sugrue, State Legislative Director  
**SMART, Sheet Metal Workers' Local Union No. 104**

Chris Walker, Executive Vice President  
**Cal SMACNA**

Merrian Borgeson, California Policy Director  
**NRDC**

Ericka Flores, Clean Energy and Equity Advocate  
**NRDC**

Sara Flocks, Legislative and Strategic Campaigns Director  
**California Federation of Labor Unions, AFL-CIO**

Kathy Garmezy, Legislative & Policy Strategist  
**California IATSE Council**

Alvin Lee,, Executive Director  
**GENup**

Kirk Anne Taylor, Executive Director  
**Climate Action Pathway for Schools**

Greg Page, Energy Management Specialist  
**TVUSD**

Louie Costa, Director  
**California State Legislative Board \* SMART-Transportation Division**

JuNelle Harris, Co-Founder  
**California Alliance for Clean Air in Schools**

Dion Abril, Executive Administrator  
**SMART Western States Council**

Shereen Walter, President  
**California State PTA**

Nancy Chaires Espinoza, Executive Director  
**School Energy Coalition**

Ian Padilla, Legislative Advocate  
**Coalition for Adequate School Housing (CASH)**

Jonathan Klein, CEO and co-founder  
**UndauntedK12**

Andra Yeghoian, Chief Innovation Officer  
**Ten Strands**

Vanessa Forsythe, Policy Committee Co-Chair  
**California Nurses for Environmental Health and Justice**

Amanda Millstein, Medical Doctor, Co-Founder  
**Climate Health Now**

Joel Ervice, Associate Director  
**Regional Asthma Management & Prevention**  
Tracey Brieger, Deputy Director  
**Jobs with Justice San Francisco**

Sam Fishman, Sustainability and Resilience Policy Manager  
**SPUR**

Mackenzie Wieser, CEO  
**Sacramento Splash**

Leslie Alden, Executive Director  
**Act Now Bay Area**

Richard Burke, Founder, Chapter Leader  
**Elders Climate Action (ECA) Southern California (SoCal) Chapter**

Todd Weber, Volunteer, Chapter Co-Leader  
**Elders Climate Action (ECA) Northern California (NorCal) Chapter**

Cheryl Weiden, Steering Committee Member  
**350 Silicon Valley**

Serena Pelka, Policy Advocate  
**Climate Action Campaign**

Angela Evans, Director  
**Menlo Spark**

Janet Perlman, Physician

Mary Ruppenthal, Education Market Sector Leader  
**HED**

Mark Basnage, Founder / Executive Director  
**Make Knowledge**

Cc: John Laird, Chair, Senate Budget & Fiscal Review – Subcommittee 1 (Education)  
David Alvarez, Assembly Budget – Subcommittee No. 3 on Education Finance  
Grant Mack, Deputy Legislative Secretary at Office of California Governor Gavin Newsom  
Cesar Diaz, Principal Consultant/Office of State Senate Pro Tem  
Tim Rainey, Executive Director of the California Workforce Development Board

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<sup>[1]</sup> California Energy Commission. [California Schools Healthy Air, Plumbing, and Efficiency Program Activities and Expenditures Annual Report on Program Year 2023](#). Page 12. Last accessed 14 August 2024.

<sup>[2]</sup> 8 CCR § 3396 ([link](#))