Date of Hearing: March 18, 2026

ASSEMBLY COMMITTEE ON EDUCATION
Darshana R. Patel, Chair
AB 1822 (Muratsuchi) – As Introduced February 11, 2026

SUBJECT: School facilities: project priorities: extreme heat and climate change

SUMMARY: Authorizes the State Allocation Board (SAB) to prioritize construction and leasing of projects that include an efficient response to extreme heat and climate change. Specifically, **this bill**:

1) Authorizes the SAB, by the adoption of rules, to establish priorities for the construction and leasing of projects to those school districts the pupils of which will benefit the most to include an efficient response to extreme heat and climate change.

EXISTING LAW:

1) Authorizes the SAB, by the adoption of rules, to establish priorities for the construction and leasing of projects to those school districts the pupils of which will benefit most. Authorizes the SAB to make exceptions from established priorities when it determines that to do so will benefit the pupils affected. (Education Code (EC) 17016)

2) Establishes a goal of doubling energy efficiency savings from existing building end uses by January 1, 2030. Existing law requires the California Energy Commission (CEC) to establish annual targets for statewide energy efficiency savings and demand reduction to achieve this goal.

3) Establishes the School Energy Efficiency Stimulus Program (also known as the California Schools Healthy Air, Plumbing, and Efficiency Program – CalSHAPE), which provides grants to local educational agencies (LEAs) to fund appliance, plumbing, and heating, ventilation, and air conditioning (HVAC) system upgrades at schools using ratepayer energy efficiency incentives. Existing law designates the CEC as the third-party administrator of CalSHAPE grants and sunsets the program on January 1, 2027.

4) Established the Clean Energy Job Creation Program and allocates Proposition 39 revenues to fund energy-efficient retrofits and clean energy installations, as well as related improvements and repairs that contribute to reduced operating costs and provide certain non-energy benefits, including improved health and safety conditions in public schools. The program also allocated funds to the State Energy Conservation Assistance Account Education Subaccount (ECAA-Ed) to provide LEAs with no-interest revolving loans to fund energy efficiency and renewable energy projects.

5) Establishes the School Facility Program (SFP) under which the state provides general obligation bond funding for various school construction projects, including new construction, modernization, joint-use facilities, and programs to specifically address the construction needs of charter schools, career technical education facilities, and seismic mitigation.

6) Requires the California Department of Education (CDE) to establish standards for use by school districts to ensure that the design and construction of school facilities are

educationally appropriate, promote school safety, and provide school districts with flexibility in designing instructional facilities. (EC 17251(c))

7) Requires the Department of General Services (DGS), under the police power of the state, to supervise the design and construction of any school building or the reconstruction or alteration of or addition to any school building to ensure that plans and specifications comply with the specified rules and regulations, and to ensure that the work of construction has been performed in accordance with the approved plans and specifications, for the protection of life and property. (EC 17280)

8) Requires the governing board of any school district to meet with appropriate local government recreation and park authorities to review all possible methods of coordinating planning, design, and construction of new school facilities and schoolsites or major additions to existing school facilities and recreation and park facilities in the community. (EC 35275)

9) Makes findings and declarations that school gardens provide an interactive, hands-on learning environment in which pupils learn composting and waste management techniques, fundamental concepts about nutrition and obesity prevention, and the cultural and historical aspects of our food supply. States that school gardens also foster a better understanding and appreciation of where food comes from, how food travels from the farm to the table, and the important role of agriculture in the state, national, and global economy. (EC 51795)

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. According to the author, "As a former school board member, and a parent of a child in public schools, I appreciate how integral a school's physical environment is to a student's achievement and motivation. AB 1822 will urge the State Allocation Board to consider the prioritization of projects that include an efficient response to extreme heat and climate change, because both are increasing in intensity and should be further incorporated into school design."

Background on the School Facilities Program (SFP). The construction and rehabilitation of public K-12 facilities are funded by a combination of state and local general obligation (GO) bonds, developer's fees, and local assessments such as Mello-Roos community facilities districts.

State bond funds are allocated pursuant to the SFP and administered by the Office of Public School Construction (OPSC) under the direction of the SAB, a ten member body comprised of the Department of Finance, the Director of the DGS, the Superintendent of Public Instruction (SPI), three Senators, three Assemblymembers, and a Governor's appointee. Responsibilities of the SAB include apportioning state funds to school districts for construction, modernization and repair of public K-12 school facilities, adopting policies, and overseeing school facility programs.

Under the SFP, the New Construction program requires a 50% match from local educational agencies (LEAs), unless the LEA qualifies for financial hardship, which pays up to 100% of project costs. Modernization funds are awarded at 60% with a 40% match. Since the inception of the SFP in 1998, voters have approved $54 billion in state GO bonds for K-12 schools. In November 2024, voters approved Proposition 2, providing $10 billion for school facilities ($8.5

billion for K-12, $1.5 billion for community colleges). Proposition 2 included new components to the SFP, including supplemental grants of up to 5% of project costs for projects to advance state energy goals and adapt to higher average temperatures that pose a threat to the health and safety of students and staff, and authorized projects to advance state energy goals, support outdoor learning environments, directly shade and protect students from higher average temperatures, which may include incorporating nature, and natural materials.

This bill seeks to authorize the SAB to prioritize projects that include an efficient response to extreme heat and climate change. Current law specifies that only certain project applications be prioritized by the SAB, including those that pose an immediate risk to the health and safety of pupils and school staff.

Climate change impacts in California. California's climate is generally expected to become hotter, drier, and more variable over the coming decades, increasing the risk of catastrophic wildfires, droughts, floods, extreme weather, biodiversity loss, and sea level rise. California's Fourth Climate Assessment estimates the economic cost to California for these losses by 2050 will be over $100 billion annually. Average global temperatures have increased since 1895, with the fastest relative increase beginning in the 1980s. Nine of the ten hottest years recorded have occurred in the last decade. In California, the statewide average temperature is predicted to increase 1.9°F by 2025 and 4.6°F by 2050. Populations in cooler parts of the state, particularly along the coast, are generally at greater risk of health-related illness because they are less acclimatized to heat, people may be less aware of behaviors to reduce exposure, and the built environment is not designed for warmer temperatures.

Urban areas have higher temperatures than the surrounding areas due to pavement and building materials that absorb sunlight and heat. This phenomenon is referred to as the urban heat island effect. Average daytime temperatures in urban areas are 1-6°F warmer than surrounding areas, but at night that increases to as much as 22°F as heat is gradually released from buildings and paved surfaces. The urban heat island effect increases the health risks associated with extreme heat for populations living in those areas. A number of strategies can be used to mitigate the urban heat island effect, such as shading, green spaces, and the use of cool building and paving materials.

LEAs have diverse and unique energy and climate challenges. Public K-12 facilities in California include approximately 12,800 schools with more than 714 million square feet of space, making LEAs the largest category of building in the public building sector. Unlike other commercial end users, government buildings generally are not able to use energy savings to reinvest in more capital improvements, which leads public buildings to require regular cycles of investment to update facilities and replace less efficient appliances. While some school districts may seek local and state bond or tax funding to make these updates, other school districts may seek monies and tax incentives from the recently enacted federal Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act (IRA).

LEAs have a number of climate change-related improvements they could make to their schoolsites, including fuel switching, electric vehicle (EV) charging, on-site clean energy generation, and replacing HVAC systems and water filtration with more efficient equipment. LEAs with sufficient resources may have little difficulties in taking advantage of new funding opportunities as they arise; however, smaller LEAs and LEAs with limited support resources

may experience tremendous challenges meeting these requirements without additional funding and technical assistance.

Greener schools. The majority of the state's urban schools are covered in hard surfaces, particularly in neighborhoods that are already suffering from park scarcity. Play spaces are covered in asphalt and concrete, which contribute to the urban heat island effect. Green space, such as grass, trees, and shrubs, which have been shown to lower temperatures, is linked to improved child development outcomes. In addition to reducing heat, spending time in green spaces has been shown to improve student's academic achievement, improve concentration, and reduce stress. Greenery near schools has also been shown to improve air quality.

The impact of heat on students and their academic performance. As climate change intensifies, students are increasingly burdened by worsening heat waves, wildfires, drought, and other extreme weather-related events that hinder their well-being and academic development, according to a 2023 report from the Sean N. Parker Center for Allergy and Asthma Research at Stanford University and other partners, *Climate Resilient California Schools: Safeguarding Children's Health and Opportunity to Learn in TK-12*. Children are particularly vulnerable to extreme weather conditions because their bodies are more sensitive and less capable of self-regulating temperature.

According to a 2022 Legislative Analyst's Office report, *Climate Change Impacts Across California K-12 Education*, climate change has led to students experiencing greater learning loss, poorer academic outcomes, food insecurity, and traumatic mental health problems. Moreover, minority children who live in high-poverty neighborhoods are often exposed to more heat, which contributes to racial disparities in health outcomes. School facilities located in low-income neighborhoods have historically had fewer financial resources to invest in efficient HVAC systems, thereby compounding student health risks from worsening climate change.

Indoor temperatures in California public schools are not currently subject to any upper limits in existing law, and schools are not required to have air conditioning or other cooling systems. Indoor classrooms that cannot maintain healthy temperatures exacerbate existing inequities in student and health outcomes (Patel, 2023). According to a 2020 Journal of Human Resources article, *Hot Temperature and High Stakes Performance*, hot temperature reduces performance by up to 13% of a standard deviation and leads to persistent impacts on high school graduation status, despite compensatory responses by teachers who selectively upwardly manipulate grades after hotter exams. According to a 2020 American Economic Journal: Economic Policy article, *Heat and Learning*, students of color and students in lower-income areas are the most affected by heat-driven learning losses, exacerbating racial and income-based achievement gaps. It is estimated that 5% of the nationwide gap in academic achievement between white and Black students is due to heat and air conditioning disparities.

According to a 2020 Public Policy Institute of California (PPIC) report, *Improving K-12 School Facilities in California*, not every California school has adequate access to indoor cooling, making it impossible to universally maintain temperatures ideal for teachers to educate and students to learn.

California's Extreme Heat Action Plan. Existing law requires the Natural Resources Agency to update the state's climate adaptation strategy every three years. In updating the strategy, the need for an interagency approach to extreme heat was identified, and therefore, the state updated

its extreme heat guidance and recommendations to create California's Extreme Heat Action Plan.

California's Extreme Heat Action Plan was released by the Natural Resources Agency in April, 2022. The plan provides a strategic and comprehensive set of state actions to adapt and build resilience to extreme heat, including supporting climate-smart planning in heat-vulnerable schools, promoting climate-appropriate shade tree cover and schools, and promoting increased use of green barriers between agricultural fields and schools.

Proposition 2 added a new facilities master plan requirement. While the state has general information on the number of K-12 schools (10,521 schools, including alternative schools), there is not an inventory on the number of school buildings within a schoolsite, the types of facilities in those buildings (e.g., gymnasiums, multipurpose rooms, etc.), or the size, and status of their outdoor areas (e.g., gardens, play structures, and other surfaces). However, due to the passage of Proposition 2 (2024), school districts applying for either a new construction or modernization grant are now required to have a five-year facilities master plan including an inventory of existing facilities, sites, and property, approved by their governing board, and to update the plan as appropriate, and to provide facility inventory information to the state. This information will be collected over time by the OPSC as individual school districts apply for SFP funding.

Arguments in support. The Small School Districts Association writes, "Across California, school districts are increasingly experiencing the impacts of rising temperatures and more frequent extreme heat events. Many existing school facilities were constructed decades ago and were not designed to operate safely or efficiently under the climate conditions we are now facing. Allowing the SAB to consider climate resilience—particularly the need to address extreme heat—when prioritizing facility funding would help ensure that scarce state resources are directed toward projects that protect student health and maintain safe learning environments.

Importantly, this approach does not mandate new construction requirements or impose additional regulatory burdens on our schools. Instead, it simply allows the SAB to take into account whether a project meaningfully improves a school's ability to respond to extreme heat and related climate challenges when evaluating applications.

Many of our small and rural schools are in geographically disparate parts of the state and are particularly impacted by extreme heat."

Arguments in opposition. The SFV Alliance writes, "We agree with the notion we do have high temperatures throughout California caused by extreme variables of the climate. When the temperature goes to 100F + and then drops to 50F that is an intense change. 50F, 40F or even mid 30F may not seem like much in other parts of the country that get into sub-freezing temperatures, but in a state like ours has volatile shifting temperatures that makes it harsh on our bodies to adjust.

The climate needs to be considered when constructing or rehabilitation school structure in California. We take great issues with the wording "climate change". Based on the data we have procured, it is flimsy science based on an agenda to electrify all power that we use as consumers. We see the reason to do that is not based on efficiency but control of our personal use of resources and movement. We ask that the author re-write the legislation to remove "climate change" from the wording and replace it with "extreme variable climate".

Recommended Committee Amendments. Staff recommends that the bill be amended as follows:

- If the SAB opts to prioritize applications pursuant to this bill, then require the priorities only to be applied to applications received after January 1, 2027, in order to not to disrupt projects already received by the OPSC.

Related legislation. AB 247 (Muratsuchi), Chapter 81, Statutes of 2024, makes changes to the existing SFP and establishes the Kindergarten Through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024 in the amount of $10 billion to be approved by the voters for the November 2024 statewide ballot.

AB 927 (Muratsuchi) of the 2023-24 Session would have authorized the SAB to consider construction plans for school buildings that include an efficient response to extreme heat and climate change. This bill was held in the Assembly Education Committee.

SB 499 (Menjivar) of the 2023-24 Session would have required every school in the state, contingent on appropriation, to develop and implement an extreme heat action plan. The bill also requires every school to replace outdoor surfaces with more heat-resistant materials the next time the school replaces an outdoor surface. This bill was held in the Assembly Appropriations Committee.

SB 394 (Gonzalez) of the 2023-24 Session would have required, upon an appropriation by the Legislature for this purpose, the California Energy Commission (CEC), in consultation with the CDE, Division of the State Architect (DSA), OPSC, and California Natural Resources Agency (CNRA), to facilitate an interagency process and stakeholder engagement to develop a Master Plan for Healthy, Sustainable, and Climate-Resilient Schools. This bill was vetoed by the Governor, with the following message:

> While I support the author's goal of making our schools more climate friendly and climate prepared, the development of this Master Plan will cost up to $10 million that was not considered through the annual budget process. Additionally, the Master Plan would create significant long-term cost pressures that are not accounted for in the state budget plan.

AB 384 (Calderon) of the 2023-24 Session would have required the CDE to conduct a research study on recommended indoor air temperature ranges and temperature control standards for public schools, to compile a statewide inventory of heating and cooling systems and interventions in all public schools, and to develop policy recommendations for safe indoor air temperature standards for public school facilities. This bill was vetoed by the Governor, with the following message:

> While I appreciate the author's goal of supporting access to indoor temperatures most conducive to student learning, this bill creates significant long-term cost pressures that are not accounted for in the budget.

AB 527 (Calderon) of the 2023-24 Session would have required the CAL FIRE to provide grants to qualified entities to support school greening. This bill was held in the Senate Appropriations Committee.

AB 1642 (Gipson) of the 2023-24 Session would have required the CDE and the CNRA, in consultation with the DSA, the OPSC, and any other appropriate state entities to facilitate an interagency and stakeholder engagement process to develop, on or before December 1, 2024, recommendations for a master plan for green schoolyards. This bill was held in the Senate Appropriations Committee.

SB 515 (Stern), Chapter 489, Statutes of 2023, limits the cost of complying with the requirement to provide an accessible path of travel to a free-standing, open-sided shade structure project to 20% of the adjusted construction cost, as defined, of the shade structure project.

AB 544 (O'Donnell) of the 2021-22 Session would have required LEAs to provide the CDE information related to each school facility, schoolsite, or school property owned or leased by the LEA. This bill was held in the Senate Education Committee.

AB 2232 (McCarty), Chapter 777, Statutes of 2022, requires a covered school (school district, COE, charter school, private school, the California Community Colleges, the California State University, and requests the University of California (UC), to ensure that facilities, including classrooms for students, have HVAC systems that meet minimum ventilation rate requirements, as specified, and to install filtration that achieves minimum efficiency reporting values (MERV) levels of 13 or higher. Requires the California Building Standards Commission and the DSA to propose for adoption mandatory standards for carbon dioxide monitors in classrooms of a covered school and the UC.

AB 2863 (Pavley) of the 2003-04 Session would have required a school district applying for state school facilities funds to include in its plans for new construction and modernization of a school building an indoor air quality management plan, and authorizes the use of certain funds to prevent indoor air problems in school facilities. This bill was held in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

American Council of Engineering Companies of California
CFT – a Union of Educators & Classified Professionals, AFT, AFL-CIO
Small School Districts Association

Opposition

SFV Alliance

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