

May 15, 2024

The Honorable Governor Jared Polis  
200 East Colfax Avenue  
Room 136  
Denver, Colorado 80203

Dear Governor Polis,

The Colorado Rural Schools Alliance, Colorado Association of School Executives, Colorado Association of School Boards, and Colorado League of Charter Schools respectfully request your veto of HB24-1307, Concerning HVAC Infrastructure Improvement Projects in Schools. This bill creates unnecessary barriers to accessing critical federal infrastructure resources and makes it more difficult to upgrade HVAC systems in schools.

We appreciate the proponents' stated goals of the bill, which is to assist schools in partnering with other entities on regional bases and larger scale projects to better leverage resources, and to ensure competitiveness when applying for federal grants. We also appreciate the sponsors making some changes to the bill to address our concerns and ensuring an open dialogue. Unfortunately, those changes were not enough to remove our opposition to the bill.

School districts' and charter schools' needs for capital construction is immense. To illustrate this, we need look no further than the state's BEST program. In FY24-25, fifty-six schools submitted applications for funding capital projects totaling \$658.7 million. Making it more difficult to fill that need is not good public policy.

As noted, the bill creates unnecessary barriers to access federal funds by including in state statute additional, and more stringent, requirements that would be required if a school accepts federal funds. These requirements go above and beyond the requirements specified in the federal grants. Problematic provisions in the bill include:

- Requiring that schools comply with the provisions of the bill if they accept federal dollars, instead of making these requirements voluntary.
- Requiring that nurses' offices and areas in schools be negative pressure with no exceptions or recognition that school buildings differ from each other, and that this requirement may not be feasible without expensive structural changes to buildings.
- Requiring sophisticated and higher cost CO2 monitors in school buildings.
- Requiring periodic inspections every five years whether those are needed or necessary and without any additional resources to perform these inspections.
- Requiring qualified personnel to recommend additional maintenance, replacements, or upgrades to HVAC systems in an assessment report without providing the additional resources needed for the replacements and upgrades.

In addition to the onerous requirements listed, one other major concern with this bill is a lack of the workforce necessary to comply. School districts and charter schools across the state, from urban areas in the Front Range to rural areas in the corners of the state, are struggling with finding workforce of all kinds, including qualified contractors. The bill requires that schools utilize contractors only from the certified contractor list, without regard to the availability of the workforce. School districts and charter schools have serious concerns about accessing these contractors to complete HVAC system maintenance, upgrades, and replacements.

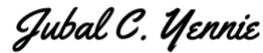
Finally, this policy is unnecessary. Schools can already partner with other entities to develop larger scale grant applications for HVAC projects and other infrastructure upgrades. They can also already seek grant writing assistance. They do not need the requirements in this bill to access federal dollars and put forward competitive grant applications.

In summary, while well-intentioned, HB24-1307 makes it more difficult for schools to ensure properly functioning HVAC systems by creating roadblocks to accessing federal resources and we urge you to veto this legislation.

Sincerely,



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Colorado Rural Schools Alliance



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