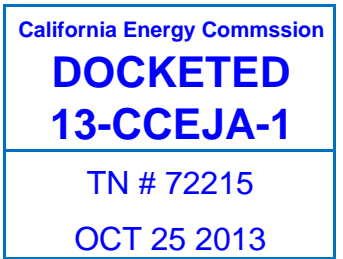




October 25, 2013

Robert Oglesby, Executive Director, California Energy Commission
Robert Weisenmiller, Chair, California Energy Commission
1516 Ninth Street, Sacramento, CA 95814
Docket number: 13-CCEJA-1
Via email: docket@energy.ca.gov



Dear Executive Director Oglesby and Chairman Weisenmiller:

On behalf of PolicyLink, we thank the California Energy Commission for your leadership in the implementation of Proposition 39: California Clean Energy Jobs Act as part of a statewide effort, including the State Superintendent of Public Instruction, the Chancellor of the California Community Colleges, and the California Public Utilities Commission, to improve the energy efficiency of California's aging schools and grow the state's clean energy economy. We also thank you for this opportunity to submit comments on the 2013 Program Implementation Draft Guidelines.

California voters' approval of Proposition 39 in 2012 provided the state with a unique opportunity to realize triple bottom-line returns on this historic clean energy investment. If implemented in a manner consistent with voters' intentions, the program can be powerful tool to: (1) improve our environment; (2) boost our economy; and (3) expand equity and opportunity.

In support of these important outcomes, we share the following recommendations to sharpen the focus on investing in California's communities of greatest need while prioritizing projects that capture the largest energy savings and job creation opportunities. The suggestions outlined below will make the Guidelines more effective in directing applicants to target under-resourced schools for energy efficient upgrades, and in strengthening the pathway to good jobs for disadvantaged youth, veterans and other Californians that face economic barriers. Combined with the adoption of criteria and incentives that encourage applicants to prioritize projects that achieve significant energy savings and create good jobs, these implementation practices will ensure that Proposition 39 truly does advance equity, boost our economy, and protect our environment:

- **Clarify overarching priorities in "Chapter 1, Background section" (page 1).**

To provide clarity to potential applicants, the guidelines should include language in this section explicitly prioritizing Proposition 39 proposals that focus on: (1) investing in California's communities of greatest need – school sites that serve a majority of low-income students; and (2) increasing access to training and jobs for disadvantaged youth, veterans, and dislocated or low wage workers.

- **"Step 3 Energy Project Prioritization Considerations" (page 14) should include an explicit focus on expanding workforce and job opportunities for disconnected youth, veterans, and other disadvantaged communities.**

We commend the current emphasis on facilitating local resident participation in new opportunities to matriculate into state-certified apprenticeship programs. However, the current Project Prioritization Considerations as stated in bullet 9—“The ability of an individual or collective project to facilitate matriculation of local residents into state-certified apprenticeship programs”—do not sufficiently ensure that consideration will be given to providing opportunity to disadvantaged residents. We encourage the CEC and partners to adopt a more ambitious objective by giving priority to projects that directly benefit local residents who are low-income or otherwise disadvantaged. To this end, we recommend that the following consideration be included:

“12) Target and facilitate matriculation of disadvantaged residents into state-certified apprenticeship programs.”

- **Include a definition of disadvantaged residents in the program implementation guidelines.**

The CEC and all partners in this initiative should consider the benefits of adopting or including the definition of disadvantaged residents. We would recommend including three criteria from the following U.S. Department of Labor (DOL) ¹ definition: “includes individuals who are at least 18 years of age and fall into one or more of the following categories:

- i. Disadvantaged individuals within areas of high poverty: defined as individuals with no incomes or low incomes who live in areas where the poverty rate is 15% or greater and who can benefit from skill training that will help her or him enter or advance in the energy efficiency and renewable energy industries.
- ii. Individuals with a criminal record: defined as an individual who is or has been subject to any stage of the juvenile or criminal justice process, and who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction. Includes individuals with a juvenile or criminal record in the definition for this term.
- iii. High school dropouts: defined as an individual who is no longer attending any secondary school and who has not received a secondary school diploma or its recognized equivalent.”

- **Support strong outcomes through effective reporting:**

In order to effectively monitor Proposition 39’s progress in expanding access to training and job opportunities for chronically unemployed and disconnected communities, we recommend requiring that the final reports submitted by grantees (described in “Step 8: Project Tracking and Reporting,” page 24) include the additional data below:

For each trainee and/or worker, report data on the following: their demographic and geographic distribution including race/ethnicity, income level and/or education attainment, zip code of residence, job classification (industry and occupation), hourly wage and benefits, and number of hours worked per week.

Grantees should also include information on the number of training completions and cost of training per worker, the number and type of credentials and certificates awarded, number of trainees enrolled in

¹ These represent definitions of disadvantaged residents assigned by the U.S. Department of Labor (DOL) in its Pathways Out of Poverty Grant Program authorized under the American Recovery and Reinvestment Act of 2009 for workforce training and job placement projects. For more information, please see: <http://www.doleta.gov/grants/pdf/SGA-DFA-PY-08-19.pdf>.

state-certified apprenticeship programs, and number of job placements and retention after 6 months for trainees.

It will also be important to have access to demographic and geographic information of project sites in order to assess which types of communities are receiving energy and workforce investments. We recommend that, in their final reports, local educational agencies be required to include the percentage of low-income students at the project site and the median household income of area (e.g. zip code or census tract) that the project site is located in.

In addition to these recommendations for project reporting, we recommend that the CDE and the Energy Commission provide greater detail to the public about the funded projects via their web page (as described on page 22 of the Guidelines under “Energy Expenditure Plan Approval Process”, Step 7). Specifically, they should include information on the location of projects and the percentage of low-income students served by project site in addition to the fiscal information that the guidelines already require. This will better facilitate public access to information on which locations and populations in California are benefitting from Proposition 39 dollars.

- **Clarify the focus on disadvantaged residents in the California Workforce Investment Board Grant Program.**

For the California Workforce Investment Board Grant Program, we recommend that the Guidelines clarify that training programs that serve disadvantaged residents in addition to youth and veterans, as currently described, are encouraged and prioritized. For example, utilizing the wording “disadvantaged residents, youth or veterans,” is more direct.

- **Ensure that effective community-based training programs are competitive in the California Workforce Investment Board Grant Program.**

We are concerned that key program elements of the California Workforce Investment Board Grant Program (page 31) could inadvertently exclude community-based training programs with strong track records serving disadvantaged youth and veterans. Key program elements that encourage “pre-apprenticeship training aligned with local building trades councils and based on nationally certified multi-craft core curriculum” and “regional partnerships” could serve as barriers for community-based programs that do not currently have these arrangements with union-based programs and regional partnerships. We recommend that the CA WIB be given the latitude to make grants to community-based training programs that commit to establishing partnerships with certified apprenticeship programs and similar programs that are part of regional partnerships.

- **Prioritize under-resourced local educational agencies for the ECAA-Ed (Proposition 39) Loan Program.**

In the ECAA-Ed Loan Program, we encourage you to give priority to under-resourced applicants and to specify this priority in the guidelines (page 29). Local educational agencies and community college districts with limited resources have greater need for increased access to low- and no-interest financing for energy efficient upgrades.

The incorporation of the above recommendations into the Proposition 39 Guidelines will provide for a more successful implementation of the program that better captures the spirit and the intent of the measure

approved by voters last fall. The recommendations set forth here add clarification and guidance in directing local educational agencies to prioritize our most vulnerable communities in order to achieve greater economic benefits and advance equitable climate and energy solutions across California. We thank you again for your leadership and commitment to this work and we respectfully ask for your support of these important recommendations as this program moves forward.

Questions or concerns regarding this letter can be addressed to Chione Flegal, Associate Director at PolicyLink (chione@policylink.org or 510-663-4311).

Sincerely,



Judith Bell
President
PolicyLink



Chione Flegal
Associate Director
PolicyLink