

117TH CONGRESS
1ST SESSION

H. R. 4442

To establish a Green New Deal for public schools.

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2021

Mr. BOWMAN (for himself, Ms. OCASIO-CORTEZ, Ms. WILSON of Florida, Mr. GRIJALVA, Ms. BUSH, Mr. LEVIN of Michigan, Ms. VELÁZQUEZ, Mr. VARGAS, Ms. NORTON, Ms. TLAIB, Mr. RASKIN, Mr. KHANNA, Ms. PRESSLEY, Mr. ESPAILLAT, Mr. GARCÍA of Illinois, Ms. BARRAGÁN, Mr. THOMPSON of Mississippi, Mrs. CAROLYN B. MALONEY of New York, Mr. TAKANO, Ms. CLARKE of New York, Ms. LEE of California, Mr. DANNY K. DAVIS of Illinois, Mr. SUOZZI, Ms. MENG, Mr. CONNOLLY, Mr. CARSON, Ms. JAYAPAL, Mr. CÁRDENAS, Mrs. WATSON COLEMAN, Mr. WELCH, Mr. POCAN, Mr. NADLER, and Ms. WILLIAMS of Georgia) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To establish a Green New Deal for public schools.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Green New Deal for
5 Public Schools Act of 2021”.

1 **SEC. 2. DEFINITIONS.**

2 (1) BIE TERMS.—The terms “BIE schools”
3 and “schools funded by BIE” means—

4 (A) schools and dormitories operated by
5 the Bureau of Indian Education;

6 (B) schools and dormitories operated pur-
7 suant to a grant under the Tribally Controlled
8 Schools Act of 1988 (25 U.S.C. 2501 et seq.);
9 and

10 (C) schools and dormitories operated pur-
11 suant to a contract under the Indian Self-De-
12 termination and Education Assistance Act (25
13 U.S.C. 5301 et seq.).

14 (2) ESEA TERMS.—The terms “child with a
15 disability”, “elementary school”, “English learner”,
16 “paraprofessional”, “secondary school”, “local edu-
17 cational agency”, and “Secretary” have the mean-
18 ings given those terms in section 8101 of the Ele-
19 mentary and Secondary Education Act of 1965 (20
20 U.S.C. 7801).

21 (3) CDC SVI.—The term “CDC SVI” means
22 the Social Vulnerability Index of the Centers for
23 Disease Control and Prevention, which is a com-
24 posite indicator that includes poverty rate and other
25 variables and is based on the most recent data avail-
26 able from the American Community Survey.

1 (4) CLIMATE JUSTICE.—The term “climate jus-
2 tice” means the fair treatment and meaningful in-
3 volvement of all people, regardless of race, color, cul-
4 ture, national origin, or income, with respect to the
5 development, implementation, and enforcement of
6 policies and projects to ensure that each person en-
7 joys the same degree of protection from the adverse
8 effects of climate change.

9 (5) ENVIRONMENTAL JUSTICE.—The term “en-
10 vironmental justice” means the fair treatment and
11 meaningful involvement of all people, regardless of
12 race, color, culture, national origin, or income, with
13 respect to the development, implementation, and en-
14 forcement of environmental laws, regulations, and
15 policies to ensure that each person enjoys—

16 (A) the same degree of protection from en-
17 vironmental and health hazards; and

18 (B) equal access to any Federal agency ac-
19 tion on justice issues related to the environment
20 in order to have a healthy environment in which
21 to live, learn, work, and recreate.

22 (6) NONPROFIT ORGANIZATION.—The term
23 “nonprofit organization” means an organization de-
24 scribed in section 501(c)(3) of the Internal Revenue

1 Code of 1986 and exempt from taxation under
2 501(a) of that Code.

3 (7) VULNERABILITY RANKING.—The term “vul-
4 nerability ranking” means the ranking of each public
5 elementary and secondary school in the United
6 States based on the CDC SVI of the Census tract
7 in which the school is located.

8 **TITLE I—CLIMATE CAPITAL FA-**
9 **CILITIES GRANTS, RESOURCE**
10 **BLOCK GRANTS, AND EDU-**
11 **CATIONAL EQUITY GRANTS**

12 **SEC. 101. GENERAL PROVISIONS.**

13 (a) CREATION OF NEW OFFICE AT THE DEPART-
14 MENT OF EDUCATION.—There is established in the De-
15 partment of Education, an Office of Sustainable Schools,
16 which shall—

17 (1) administer the resource block grant pro-
18 gram under section 103 and the educational equity
19 grant program under section 104;

20 (2) in close collaboration with the Department
21 of Energy and the White House Office of Domestic
22 Climate Policy, coordinate the activities of those
23 grant programs with—

1 (A) the activities of the climate capital fa-
2 cilities grant program under section 102, ad-
3 ministered by the Secretary of Energy; and

4 (B) the activities of the climate change re-
5 siliency program under title II.

6 (b) RESOURCE ALLOCATION PLAN.—Applicants for
7 a grant under this title shall submit with their application
8 a resource allocation plan, which shall include—

9 (1) a detailed explanation of how the grant
10 funds will be spent; and

11 (2) a values statement document, which shall be
12 developed after a community-engaged planning proc-
13 ess, with representation from educators, principals,
14 administrators, students, parents, school boards,
15 caregivers, Indian Tribes (where applicable), and
16 community organizations that have documented ex-
17 perience as local providers and partners, and which
18 shall include—

19 (A) an outline of the applicant’s goals to
20 address environmental, economic, and edu-
21 cational equity in the projects and activities
22 supported by the grant funds;

23 (B) annual benchmarks to measure the ap-
24 plicant’s progress toward meeting those goals;

1 (C) a plan to ensure that, to the greatest
2 extent practicable, not less than 30 percent of
3 all jobs funded by the grant will be—

4 (i) filled by individuals hired through
5 a local community-based hiring process, in
6 a matter that contributes to the stated eq-
7 uity goals, especially individuals who reside
8 in the same catchment area as students at-
9 tending the school in which those individ-
10 uals will work, or individuals who pre-
11 viously attended the school in which those
12 individuals will work; or

13 (ii) filled by individuals who reside in
14 a zip code served by the local educational
15 agency receiving the grant or in a neigh-
16 boring zip code;

17 (D) as applicable, a commitment to local
18 hiring from businesses, nonprofit organizations,
19 and cooperatives (including worker coopera-
20 tives) in a manner that contributes to the stat-
21 ed equity goals, advances the economic and so-
22 cial empowerment of traditionally disadvan-
23 taged individuals and communities (including
24 low-income and low-wealth individuals and com-
25 munities), and creates opportunities for—

- 1 (i) people of color;
- 2 (ii) immigrants, regardless of immi-
- 3 grant status;
- 4 (iii) formerly incarcerated individuals;
- 5 (iv) women;
- 6 (v) LGBTQIAP+ individuals;
- 7 (vi) individuals with disabilities or
- 8 chronic illness;
- 9 (vii) young or elderly individuals;
- 10 (viii) young adults exiting the foster
- 11 care system; and
- 12 (ix) unhoused individuals; and
- 13 (E) a plan to ensure the greatest prac-
- 14 ticable number of training opportunities within
- 15 schools benefitting from grant funds under this
- 16 Act.

17 (c) DOCUMENTATION.—

18 (1) IN GENERAL.—Each grant recipient shall

19 document the recipient’s progress toward meeting

20 the resource allocation plan goals over the course of

21 the grant period on a public digitized platform,

22 which may be an existing public dashboard, data

23 center, or information hub of a public website.

24 (2) REQUIREMENTS.—If an applicable existing

25 public website has not already been established, the

1 grant recipient shall establish and maintain such a
2 website for the purposes described in this subsection.

3 (3) ACCESSIBLE DATA.—The grant recipient
4 shall ensure that data described in this subsection
5 and presented on the public website is accessible to
6 individuals in multiple languages (as applicable to
7 the relevant community), accessible to individuals
8 with different literacy levels, and standardized.

9 (d) BUREAU OF INDIAN EDUCATION.—The Secretary
10 of Education and the Secretary of Energy, as applicable,
11 in conjunction with the Secretary of the Interior, shall re-
12 serve a sufficient amount of grant funding and additional
13 administrative expenses, for each grant authorized under
14 this title, for the Bureau of Indian Education to fully
15 carry out the applicable grant activities at all BIE schools
16 and schools funded by BIE, which shall include providing
17 any necessary technical assistance to assist a BIE school
18 or school funded by BIE in creating a resource allocation
19 plan or meeting other grant requirements in collaboration
20 with the applicable Indian Tribe and community members.
21 The 3 Secretaries shall ensure that the administration of
22 such reserved funds and such technical assistance process
23 is carried out in accordance with principles of Indian Trib-
24 al sovereignty and self-determination.

1 **SEC. 102. CLIMATE CAPITAL FACILITIES GRANTS.**

2 (a) DEFINITIONS.—In this section:

3 (1) HEALTHY GREEN RETROFIT.—The term
4 “healthy green retrofit”, with respect to a facility,
5 means the holistic modification of the entire facility
6 to remove health harms, eliminate greenhouse gas
7 emissions, and ensure a safe, accessible, and com-
8 fortable environment, including through measures
9 that achieve or convert the facility to address the
10 following goals:

11 (A) Optimal air quality.

12 (B) Detoxification of air, water, and mate-
13 rials.

14 (C) Enhanced light quality.

15 (D) Improved energy efficiency.

16 (E) Improved water quality and efficiency.

17 (F) Safe and effective wastewater treat-
18 ment.

19 (G) Electrification and decarbonization.

20 (H) Optimized energy management.

21 (I) Distributed renewable energy.

22 (J) Structural integrity.

23 (K) Resilience to the impacts of climate
24 change and natural hazards.

25 (L) Comfort and accessibility for all users
26 of the facility.

1 (2) HEALTHY ZERO-CARBON SCHOOL.—The
2 term “healthy zero-carbon school” means a public
3 school, BIE school, or school funded by BIE—

4 (A) with highly energy-efficient facilities
5 that produce onsite, or procure, sufficient car-
6 bon-free and pollution-free renewable energy to
7 meet the total annual energy consumption of
8 the public school, BIE school, or school funded
9 by BIE;

10 (B) that does not contain any asbestos,
11 mold, fungus, lead, polychlorinated biphenyl
12 (PCB), or other contaminant identified as high-
13 priority by the Office of Sustainable Schools;

14 (C) the space heating, water heating, and
15 lighting systems of which are all-electric;

16 (D) the food service facilities of which use
17 all-electric systems that include contemporary
18 induction burners and convection stoves;

19 (E) that has installed onsite renewable en-
20 ergy, including solar photovoltaic systems, bat-
21 teries, flywheels, compressed air systems,
22 pumped hydroelectric systems, thermal energy
23 storage systems, and any other technologies
24 that provide distributed renewable energy gen-
25 eration, energy storage, and resilience to ex-

1 extreme weather events, whenever conditions permit; and
2

3 (F) that provides full accessibility in compliance with—
4

5 (i) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and
6

7 (ii) applicable provisions of section 504 of the Rehabilitation Act of 1973 (29
8 U.S.C. 794).
9

10 (3) NATIONAL LABORATORY.—The term “National Laboratory” has the meaning given the term
11 in section 2 of the Energy Policy Act of 2005 (42
12 U.S.C. 15801).
13

14 (4) PUBLIC SCHOOL.—The term “public school” means—
15

16 (A) a public elementary school; and

17 (B) a public secondary school.

18 (5) SECRETARY.—The term “Secretary” means
19 the Secretary of Energy, acting through the Assistant
20 Secretary for Energy Efficiency and Renewable
21 Energy.

22 (b) ESTABLISHMENT.—Not later than 180 days after
23 the date of enactment of this Act, the Secretary shall es-
24 tablish program under which the Secretary shall provide
25 grants to eligible entities described in subsection (d)(1)—

1 (1) to conduct healthy green retrofits at facili-
2 ties of the eligible entities to convert existing public
3 schools, BIE schools, or schools funded by BIE into
4 healthy zero-carbon schools; and

5 (2) to construct new, healthy zero-carbon
6 schools, subject to the condition that each new,
7 healthy zero-carbon school so constructed shall be lo-
8 cated not less than 2,500 feet from any oil or gas
9 wells in the vicinity of the healthy zero-carbon
10 school.

11 (c) APPLICATION.—

12 (1) IN GENERAL.—An eligible entity desiring a
13 grant under subsection (b) shall submit an applica-
14 tion to the Secretary at such time, in such manner,
15 and containing such information as the Secretary
16 may reasonably require.

17 (2) TECHNICAL ASSISTANCE.—On request of an
18 eligible entity applying for a grant under this sec-
19 tion, the Secretary shall provide to the eligible entity
20 technical assistance to develop the resource alloca-
21 tion plan required under section 101(b).

22 (3) APPROVAL.—The Secretary shall approve
23 each application that meets the requirements of this
24 subsection. In the case of an application that does
25 not meet such requirements, the Secretary shall con-

1 sult with the eligible entity and shall provide tech-
2 nical assistance, as necessary, to ensure that the eli-
3 gible entity meets such requirements.

4 (d) DESCRIPTION OF ELIGIBLE ENTITIES.—

5 (1) IN GENERAL.—Subject to paragraph (2),
6 any of the following shall be eligible to receive a
7 grant under this section:

8 (A) A public school.

9 (B) A public local educational agency, on
10 behalf of one or more public schools.

11 (C) A BIE school.

12 (D) A school funded by BIE.

13 (2) LIMITATION.—During the 4-year period be-
14 ginning on the date of establishment of the grant
15 program under subsection (b), only an eligible entity
16 described in paragraph (1) that is a public school
17 ranked as one of the 1/3 most vulnerable schools in
18 the United States, based on the vulnerability rank-
19 ing, a local educational agency applying on behalf of
20 such a school, or any BIE school or school funded
21 by BIE, shall be eligible to receive a grant under
22 this section.

23 (e) ALLOCATION OF GRANT FUNDS.—

24 (1) IN GENERAL.—Subject to paragraph (2),
25 the Secretary shall provide to each eligible entity

1 that submits an application approved by the Sec-
2 retary under subsection (c)(3) a grant in accordance
3 with this section.

4 (2) ALLOCATION.—

5 (A) IN GENERAL.—The Secretary shall al-
6 locate grant funds to eligible entities described
7 in paragraph (1) in accordance with the for-
8 mula established under paragraph (3), subject
9 to the conditions described in subparagraph
10 (B).

11 (B) CONDITIONS FOR HEALTHY GREEN
12 RETROFIT PROJECTS.—In allocating grant
13 funding to carry out projects described in sub-
14 section (b)(1), the Secretary shall make alloca-
15 tions as follows:

16 (i) The amount of a grant provided
17 under this section to an eligible entity that
18 is a public school ranked as one of the 1/
19 3 most vulnerable schools in the United
20 States, based on the vulnerability ranking,
21 a local educational agency applying on be-
22 half of such a school, or any BIE school or
23 school funded by BIE, shall be sufficient to
24 cover 100 percent of cost of carrying out
25 a project described in subsection (b)(1).

1 (ii) The amount of a grant provided
2 under this section to an eligible entity that
3 is a public school ranked as one of middle
4 1/3 of schools in the United States, based
5 on the vulnerability ranking, or a local
6 educational agency applying on behalf of
7 such a school, shall be sufficient to cover
8 $\frac{2}{3}$ of the cost of carrying out a project de-
9 scribed in subsection (b)(1).

10 (iii) The amount of a grant provided
11 under this section to an eligible entity that
12 is a public school ranked as one of the 1/
13 3 least vulnerable schools in the United
14 States, based on the vulnerability ranking,
15 or a local educational agency applying on
16 behalf of such a school, shall be sufficient
17 to cover $\frac{1}{3}$ of the cost of carrying out a
18 project described in subsection (b)(1).

19 (C) LOANS.—

20 (i) IN GENERAL.—An eligible entity
21 described in clause (ii) or (iii) of subpara-
22 graph (B) may submit to the Secretary an
23 application for a no-interest or low-interest
24 loan to cover any remaining costs of car-

1 rying out a project described in subsection
2 (b)(1).

3 (ii) LIMITATION.—The total amount
4 of loans provided by the Secretary under
5 clause (i) shall be not more than
6 \$446,000,000,000.

7 (3) FUNDING FORMULA.—

8 (A) IN GENERAL.—Subject to subpara-
9 graph (B), the Secretary shall establish a for-
10 mula for purposes of paragraph (2), based on
11 the results of the initial audit conducted under
12 subsection (h)(1)(A).

13 (B) REVISIONS.—After each subsequent
14 audit is conducted under subsection (h)(1)(B),
15 the Secretary shall revise the formula estab-
16 lished under subparagraph (A), based on the re-
17 sults of that audit.

18 (f) USE OF GRANT FUNDS.—

19 (1) IN GENERAL.—A recipient of a grant under
20 this section shall use the grant—

21 (A) to conduct healthy green retrofits to
22 convert 1 or more facilities to a healthy zero-
23 carbon school as soon as practicable after re-
24 ceiving the grant funds; or

1 (B) to construct a new, healthy zero-car-
2 bon school.

3 (2) ADDITIONAL AUTHORIZED USES.—After
4 complying with paragraph (1), a recipient of a grant
5 under this section may use the grant to pursue other
6 projects, consistent with the goals of a healthy green
7 retrofit, and in doing so, is encouraged to install
8 green rooftops that reduce stormwater runoff and
9 maximize urban island heat effect reduction benefits.
10 Such rooftops shall meet the minimum performance
11 standard specified within the Living Architecture
12 Performance Tool (LAPT) rating system, and shall
13 be implemented or completed in consultation with at
14 least one Green Roof Professional (GRP) as accred-
15 ited by the Green Roof Industry Association.

16 (3) SOLAR PV SYSTEMS.—A recipient of a grant
17 under this section is encouraged to use the grant to
18 purchase and install 1 or more solar photovoltaic
19 systems to maximize returns, rather than leasing
20 roof space to other individuals or entities.

21 (4) EFFICIENCY STANDARDS.—In carrying out
22 a project using a grant provided under this section,
23 an eligible entity shall carry out reasonable measures
24 to meet the following energy efficiency standards, as
25 applicable:

1 (A) For a new construction project, design
2 and operate the applicable facility—

3 (i) to achieve—

4 (I) a site energy use intensity
5 equal to or less than 25 kBtu/sf/year;

6 or

7 (II) an Energy Star score of 90;

8 and

9 (ii) to offset not less than 30 percent
10 of energy consumption with onsite renew-
11 able energy.

12 (B) For a project to modify an existing fa-
13 cility, design and operate the facility—

14 (i) to achieve—

15 (I) a site energy use intensity
16 equal to or less than 35 kBtu/sf/year;

17 or

18 (II) an Energy Star score of 70;

19 and

20 (ii) to offset not less than 20 percent
21 of energy consumption with onsite renew-
22 able energy.

23 (5) ADDITIONAL STANDARDS.—In carrying out
24 a project using a grant provided under this section,

1 an eligible entity shall adhere to the applicable guid-
2 ance contained in—

3 (A) the design guide of the American Soci-
4 ety of Heating, Refrigeration and Air-Conditi-
5 oning Engineers (ASHRAE) entitled “Achiev-
6 ing Zero Energy—Advanced Energy Design
7 Guide for K-12 School Buildings”; and

8 (B) the document of the National Renew-
9 able Energy Laboratory entitled “A Guide to
10 Zero Energy and Zero Energy Ready K-12
11 Schools”.

12 (g) MEASUREMENTS AND ASSESSMENTS.—

13 (1) IN GENERAL.—On conclusion of a healthy
14 green retrofit or construction project funded by a
15 grant under this section, the applicable eligible enti-
16 ty shall submit to the Secretary a measurement and
17 assessment of the energy performance of each facil-
18 ity affected by the project, as determined—

19 (A) before and after the project; and

20 (B) based on standards agreed to by the
21 eligible entity and the Secretary.

22 (2) PUBLICATION.—The Secretary shall make
23 all data submitted under paragraph (1) relating to
24 performance changes publicly available to enable
25 subsequent healthy green retrofit project sponsors to

1 learn from, and improve on, the processes and tech-
2 nologies used.

3 (h) COMPREHENSIVE AUDITS OF HEALTHY GREEN
4 RETROFIT NEEDS.—

5 (1) AUDITS.—

6 (A) INITIAL AUDIT.—Not later than 180
7 days after the date on which the Office of Sus-
8 tainable Schools is established by section
9 101(a), the Secretary, working jointly with the
10 head of the Office of Sustainable Schools, shall
11 complete an audit of a representative sample of
12 public schools, BIE schools, and schools funded
13 by BIE across the United States to identify
14 healthy green retrofit needs.

15 (B) SUBSEQUENT AUDITS.—After the ini-
16 tial audit is completed under subparagraph (A),
17 the Secretary, working jointly with the head of
18 the Office of Sustainable Schools, periodically
19 shall complete an audit of all public schools,
20 BIE schools, and schools funded by BIE across
21 the United States to identify healthy green ret-
22 rofit needs.

23 (2) REQUIREMENT.—Each audit under para-
24 graph (1) shall take into account—

25 (A) local climatic conditions;

1 (B) regional variation;

2 (C) the high capital needs of public schools
3 in local educational agencies that serve a high
4 percentage of low-income children, BIE schools,
5 and schools funded by BIE;

6 (D) regional labor costs and labor markets;
7 and

8 (E) other necessary criteria, as determined
9 by the Secretary.

10 (i) CONSULTATIONS.—In administering the grant
11 program established under subsection (b) and conducting
12 each audit under subsection (h)(1), the Secretary shall col-
13 laborate closely with, and seek technical assistance from—

14 (1) the National Laboratories, particularly the
15 National Renewable Energy Laboratory;

16 (2) the Environmental Protection Agency; and

17 (3) other Federal departments and agencies, as
18 the Secretary determines to be necessary.

19 (j) DESIGN GUIDE.—The Secretary shall encourage
20 the National Renewable Energy Laboratory to develop a
21 new design guide for schools that takes into account best
22 practices and lessons learned from the implementation of
23 the grant program established under subsection (b).

24 (k) LABOR STANDARDS.—

25 (1) LABOR AND BUY AMERICAN PROVISIONS.—

1 (A) IN GENERAL.—Each contractor or
2 subcontractor for a project funded by a grant
3 under this section shall carry out the following:

4 (i) Ensure that the materials used by
5 the contractor or subcontractor are sub-
6 stantially manufactured, mined, and pro-
7 duced in the United States in accordance
8 with chapter 83 of title 41, United States
9 Code (commonly known as the “Buy
10 American Act”).

11 (ii) Ensure that all laborers and me-
12 chanics employed by the contractor or sub-
13 contractor in the performance of construc-
14 tion, alteration, repair, or maintenance
15 work financed in whole or in part with as-
16 sistance under this section shall be paid
17 wages at rates not less than those pre-
18 vailing on similar construction in the local-
19 ity, as determined by the Secretary of
20 Labor, in accordance with subchapter IV
21 of chapter 31 of title 40, United States
22 Code (commonly known as the “Davis-
23 Bacon Act”). With respect to the labor
24 standards in this clause, the Secretary of
25 Labor shall have the authority and func-

1 tions set forth in Reorganization Plan
2 Numbered 14 of 1950 (64 Stat. 1267; 5
3 U.S.C. App.) and section 3145 of title 40,
4 United States Code.

5 (iii) With respect to a project or set of
6 projects located in the same local edu-
7 cational agency costing not less than
8 \$25,000,000, consent to a project labor
9 agreement.

10 (iv) Not hire employees through a
11 temporary staffing agency unless the rel-
12 evant State workforce agency certifies that
13 temporary employees are necessary to ad-
14 dress an acute, short-term labor demand.

15 (v) Have an explicit neutrality policy
16 on any issue involving the organization of
17 employees of the contractor or subcon-
18 tractor, and all contractors and sub-
19 contractors, for purposes of collective bar-
20 gaining.

21 (vi) For each project related to a
22 healthy green retrofit or new construction
23 of a school, demonstrate an ability to use
24 and to commit to use individuals enrolled
25 in a registered apprenticeship program who

1 shall, to the greatest extent practicable,
2 constitute not less than 20 percent of the
3 individuals working on the project.

4 (vii) To the greatest extent prac-
5 ticable, provide preferential treatment in
6 hiring laborers and mechanics that are—

7 (I) hired from within 50 miles of
8 their official residence;

9 (II) veterans or active or retired
10 military;

11 (III) highly skilled union work-
12 ers; or

13 (IV) returning citizens who were
14 formerly incarcerated individuals.

15 (viii) Not require mandatory arbitra-
16 tion for any dispute involving a worker en-
17 gaged in a service for the contractor or
18 subcontractor.

19 (ix) Consider an individual performing
20 any service under the grant as an em-
21 ployee, and not an independent contractor,
22 of the contractor or subcontractor, respec-
23 tively, unless—

24 (I) the individual is free from
25 control and direction in connection

1 with the performance of the service,
2 both under the contract for the per-
3 formance of the service and in fact;

4 (II) the service is performed out-
5 side the usual course of the business
6 of the contractor or subcontractor, re-
7 spectively; and

8 (III) the individual is customarily
9 engaged in an independently estab-
10 lished trade, occupation, profession, or
11 business of the same nature as that
12 involved in such service.

13 (B) ACTION TO ENFORCE INDEPENDENT
14 CONTRACTOR REQUIREMENT.—A third party,
15 including a State or local government, may
16 bring an action in any court of competent juris-
17 diction to enforce the requirements of subpara-
18 graph (A)(ix).

19 (2) PRE-APPRENTICESHIP.—To the greatest ex-
20 tent practicable, in carrying out a project funded by
21 a grant under this section, grant recipients shall give
22 preference to contractors or subcontractors that par-
23 ticipate in pre-apprenticeship programs that have
24 written agreements with one or more registered ap-
25 prenticeship programs.

1 (l) AUTHORIZATION OF APPROPRIATIONS.—

2 (1) IN GENERAL.—There is authorized to be
3 appropriated to the Secretary to provide grants
4 under subsection (b) \$446,000,000,000 for the 10-
5 fiscal-year period following the date of enactment of
6 this Act.

7 (2) ADMINISTRATIVE EXPENSES.—There are
8 authorized to be appropriated to the Secretary for
9 the administrative expenses of carrying out this sec-
10 tion such sums as are necessary.

11 **SEC. 103. RESOURCE BLOCK GRANTS.**

12 (a) PROGRAM ESTABLISHED.—

13 (1) IN GENERAL.—The Secretary shall award a
14 grant to each qualified local educational agency with
15 an approved application to enable the qualified local
16 educational agency to bring additional eligible edu-
17 cators and support staff into elementary and sec-
18 ondary schools and establish community partner-
19 ships, and carry out other activities described in this
20 section, with the goals of expanding social service
21 programming, developing locally designed and rooted
22 curricula, strengthening the educator pipeline, diver-
23 sifying the workforce, better integrating knowledge
24 of the local community into schools, and providing

1 support, training, and career pathways for para-
2 professionals.

3 (2) CONSULTATION AND INTEGRATION.—

4 (A) CONSULTATION BY THE SECRETARY.—

5 The Secretary shall consult with States and In-
6 dian Tribes, as appropriate, in administering
7 the grant program under this section. During
8 such consultation, the Secretary shall strongly
9 encourage the States to integrate the locally de-
10 signed and rooted curricula, developed under
11 paragraph (1) (as applicable), into State edu-
12 cational plans and activities, and to support,
13 replicate, and disseminate such curricula, as ap-
14 propriate.

15 (B) CONSULTATION BY LEAS.—A local

16 educational agency that receives a grant under
17 this section shall consult with the Secretary, the
18 State educational agency, and Indian Tribes (as
19 applicable) in implementing such grant.

20 (3) ADDITIONAL LOCAL EDUCATIONAL AGEN-

21 CIES.—Notwithstanding paragraph (1), if funding
22 under this section remains after the Secretary has
23 awarded grants to each qualified local educational
24 agency that submits an application under this sec-
25 tion, in amounts that are sufficient to meet the

1 needs of those agencies, the Secretary shall award
2 grants under this section to other local educational
3 agencies that are not qualified local educational
4 agencies, in accordance with the priority require-
5 ments described in subsection (b)(3).

6 (b) APPLICATION.—

7 (1) IN GENERAL.—A local educational agency
8 desiring a grant under this section shall submit an
9 application to the Secretary, at such time, in such
10 manner, and containing such information as the Sec-
11 retary may reasonably require, which shall include
12 the following:

13 (A) The resource allocation plan described
14 in section 101.

15 (B) A description of the local educational
16 agency's plan to attempt to hire eligible edu-
17 cators and support staff who, in accordance
18 with section 101(b)(2)(C)—

19 (i) reside in the same catchment area
20 as students attending the school in which
21 those eligible educators and support staff
22 will work, or who previously attended the
23 school in which the educators and staff will
24 work; or

1 (ii) reside in the same zip code, or a
2 neighboring zip code, as the school in
3 which the educators and staff will work.

4 (C) An assurance that after the 10-year
5 period during which grant funds will pay for
6 the eligible educator and support staff positions
7 described in this section, the local educational
8 agency will—

9 (i) retain those positions, and a de-
10 scription of the local educational agency's
11 plan to fund those positions after such pe-
12 riod; and

13 (ii) attempt to maintain and continue
14 to fund community partnerships supported
15 by such grant, to the extent that the other
16 entities in those partnerships desire to con-
17 tinue the activities supported with grant
18 funds.

19 (D) A description of the local educational
20 agency's plan to—

21 (i) aim to meet target student-to-staff
22 ratios of 12:1 for students in kindergarten
23 through grade 8, and 15:1 for students in
24 grades 9 through 12 (where staff is de-
25 fined broadly to refer to any adult profes-

1 sional employed in the school whose work
2 directly relates to education, including the
3 eligible educators and support staff de-
4 scribed in this section);

5 (ii) aim to place a lead teacher and
6 paraprofessional in all prekindergarten
7 through grade 3 classes; and

8 (iii) aim to hire at least 1 school psy-
9 chologist for every 500 students and at
10 least 1 guidance counselor for every 250
11 students served by the agency.

12 (E) A description of the local educational
13 agency's plan—

14 (i) to progress toward ending the
15 school-to-prison pipeline and zero tolerance
16 discipline, including by reducing suspen-
17 sions, and expulsions; and

18 (ii) for progressing toward reallo-
19 cating resources spent on punishment to
20 restorative justice practices.

21 (2) APPROVAL.—The Secretary shall approve
22 each application that meets the requirements of this
23 section. In the case of an application that does not
24 meet such requirements, the Secretary shall consult
25 with the local educational agency and shall provide

1 technical assistance, as necessary, to ensure that the
2 local educational agency meets such requirements.

3 (3) PRIORITY.—If the Secretary awards grants
4 under this section to local educational agencies that
5 are not qualified local educational agencies, in ac-
6 cordance with subsection (a)(3), the Secretary shall
7 give priority to local educational agencies that meet
8 one of the following criteria:

9 (A) Serving a percentage that is higher
10 than the State median of students who are
11 counted under section 1113(a)(5)(A) of the Ele-
12 mentary and Secondary Education Act of 1965
13 (20 U.S.C. 6313(a)(5)(A)).

14 (B) Serving a percentage that is higher
15 than the State median of students who are chil-
16 dren with a disability.

17 (C) Serving a percentage that is higher
18 than the State median of students who are
19 English learners.

20 (D) Serving schools that have a per-pupil
21 expenditure that is lower than the State median
22 per-pupil expenditure.

23 (e) QUALIFIED LOCAL EDUCATIONAL AGENCY.—In
24 this section, the term “qualified local educational agency”
25 means—

1 (1) a local educational agency that serves one
2 or more schools that are ranked as one of the 1/3
3 most vulnerable schools in the United States, based
4 on the vulnerability ranking;

5 (2) a local educational agency that serves ele-
6 mentary or secondary schools that are in the bottom
7 1/3 of all schools in the State when ranked by stu-
8 dent-to-staff ratios from lowest to highest ratios
9 based on the most recent data from the National
10 Center for Education Statistics; or

11 (3) a BIE school or school funded by BIE.

12 (d) USES OF FUNDS.—

13 (1) SUPPORT FOR ELIGIBLE EDUCATORS AND
14 SUPPORT STAFF.—

15 (A) IN GENERAL.—A local educational
16 agency receiving a grant under this section
17 shall use not less than 80 percent of grant
18 funds—

19 (i) to hire, on a full-time basis, and
20 pay the salaries of eligible educators and
21 support staff described in subparagraph
22 (B) for a period of 10 years;

23 (ii) to increase the salaries of para-
24 professionals and promote paraprofes-

1 sionals who meet the requirements for pro-
2 motion; and

3 (iii) to provide or facilitate access for
4 paraprofessionals to affordable training by
5 establishing partnerships with community
6 colleges and local institutions of higher
7 education, establishing tuition reimburse-
8 ment programs, or offering similar initia-
9 tives for training.

10 (B) ELIGIBLE EDUCATORS AND SUPPORT
11 STAFF.—The eligible educators and support
12 staff described in this subparagraph are—

- 13 (i) paraprofessionals;
14 (ii) mental health professionals, in-
15 cluding psychologists, therapists, and social
16 workers;
17 (iii) school counselors;
18 (iv) librarians;
19 (v) nurses;
20 (vi) restorative justice specialists;
21 (vii) community school site coordina-
22 tors;
23 (viii) teachers;
24 (ix) coordinators for culturally respon-
25 sive education;

- 1 (x) facilities and food service workers;
2 (xi) learning specialists, including
3 mathematics and reading specialists;
4 (xii) English as a Second Language
5 instructors;
6 (xiii) Native language and cultural
7 specialists; and
8 (xiv) staff to support other social serv-
9 ices programming.

10 (2) COMMUNITY PARTNERSHIPS, CURRICULUM
11 DEVELOPMENT, AND SOCIAL SERVICE PROGRAM-
12 MING.—

13 (A) IN GENERAL.—In addition to carrying
14 out the activities described in paragraph (1), a
15 local educational agency receiving a grant under
16 this section shall use not less than 2.5 percent
17 and not more than 20 percent of such funds for
18 community partnerships, curriculum develop-
19 ment, and social service programming, which
20 shall include one or more of the following:

- 21 (i) Development of place-based and
22 experiential education and community-driv-
23 en curricula, with a focus on curricula that
24 affirm and explore the underlying prin-
25 ciples of the Green New Deal, including

1 the significance of and the connections be-
2 tween racial, economic, and environmental
3 and climate justice.

4 (ii) Curricula that engage students,
5 across science, technology, engineering,
6 arts, and mathematics instruction, as well
7 as humanities instruction, in the scientific,
8 technical, design, and social aspects of
9 healthy green retrofits funded by the cli-
10 mate capital facilities grants under section
11 102, as well as of any other uses of those
12 grants.

13 (iii) Curricula and programming to
14 advance vocational and career and tech-
15 nical education, including advancing such
16 education in partnership with career and
17 technical education schools, community col-
18 leges, local institutions of higher education,
19 community organizations, and pre-appren-
20 ticeship programs, to prepare students for
21 a wide range of careers related to address-
22 ing climate change.

23 (iv) Programming to support extra-
24 curricular and community-based activities
25 such as arts, music, recreation, organized

1 sports, honor societies, 4-H clubs, foreign
2 and Native languages, college access cen-
3 ters, early child care centers, and after-
4 school and summer education program-
5 ming.

6 (v) Other partnerships with local com-
7 munity organizations and social service
8 providers to expand the scale and scope of
9 on-site services in support of the resource
10 allocation plan for the grant.

11 (vi) Training and professional devel-
12 opment to advance trauma-informed learn-
13 ing models and practices, centering on the
14 whole child and the child's cognitive, emo-
15 tional, and social needs, inclusive of cul-
16 turally responsive pedagogy.

17 (vii) Providing funding to establish or
18 improve libraries, child care centers, health
19 offices, mental health and wellness centers,
20 gymnasiums, studios and art spaces, or job
21 resource centers in the schools that are
22 served by the local educational agency,
23 which shall be operated by the local edu-
24 cational agency or the local educational

1 agency in partnership with a nonprofit or-
2 ganization.

3 (viii) Website development and other
4 communications to share and exchange
5 knowledge and best practices.

6 (ix) Wellness, stress management, and
7 mindfulness training.

8 (x) Anti-racist and anti-hate curricula.

9 (xi) Training for and implementation
10 of restorative justice practices including
11 peer mediation, restorative conferences,
12 counseling, and peace circles for students
13 as well as anti-bullying initiatives.

14 (xii) Technical assistance, including
15 contract templates, local data clearing-
16 houses for best practices, and temporary
17 staff to support finding and building initial
18 partnerships to build the capacity to de-
19 velop and sustain local partnerships with
20 other knowledge centers in the community.

21 (xiii) Increased parent and student
22 engagement in learning.

23 (xiv) Increased availability of trans-
24 lation to create accessible learning environ-
25 ments for English learners.

1 (3) REQUIREMENT.—A local educational agency
2 receiving a grant under this section shall ensure that
3 if such agency contracts with a third-party to carry
4 out activities under this subsection, that third-party
5 is located in the same catchment area as students
6 attending the school in which they will work, or pre-
7 viously attended the school in which they will work;
8 or alternatively, is located in a zip code served by
9 the local educational agency receiving the grant or in
10 a neighboring zip code.

11 (e) WAGE AND LABOR ORGANIZATION REQUIRE-
12 MENTS.—Each local educational agency that receives
13 funds through a grant under this section shall—

14 (1) ensure that eligible educators and support
15 staff hired with the grant funds are paid wages in
16 accordance with prevailing rates in the locality or
17 any applicable collective bargaining agreement, and
18 on a pathway with regular increases in pay;

19 (2) ensure that such educators and staff are
20 considered to be part of any existing (as of the date
21 of the hiring) applicable bargaining unit of a labor
22 organization and not considered to be executive em-
23 ployees or employees in other positions exempt from
24 the Fair Labor Standards Act of 1938 (29 U.S.C.
25 201 et seq.); and

1 (3) if the local educational agency does not have
2 such a bargaining unit, have an explicit neutrality
3 policy, which covers such educators and staff, on any
4 issue involving the organization of employees for
5 purposes of collective bargaining.

6 (f) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) IN GENERAL.—There is authorized to be
8 appropriated to the Secretary to provide grants
9 under this section \$250,000,000,000 for the 10-fis-
10 cal-year period following the date of enactment of
11 this Act.

12 (2) ADMINISTRATIVE EXPENSES.—There are
13 authorized to be appropriated to the Secretary for
14 the administrative expenses of carrying out this sec-
15 tion such sums as are necessary.

16 **SEC. 104. EDUCATIONAL EQUITY PLANNING GRANTS.**

17 (a) PROGRAM ESTABLISHED.—

18 (1) IN GENERAL.—The Secretary shall facilitate
19 an inclusive, regional equity planning process and
20 award grants to eligible consortia to eliminate intra-
21 region education inequities by providing Federal
22 funds to assist the eligible consortia in planning and
23 carrying out regional education equity plans, in ac-
24 cordance with this section.

1 (2) PLANNING GRANT.—The Secretary shall
2 award a planning grant under this section, for a pe-
3 riod of not longer than 1 year, to each eligible con-
4 sortium with an approved application to enable the
5 eligible consortium to develop a regional education
6 equity plan.

7 (3) IMPLEMENTATION GRANT.—The Secretary
8 shall award an implementation grant under this sec-
9 tion to each eligible consortium with an approved re-
10 gional education equity plan to enable the consor-
11 tium to carry out activities to implement such plan.

12 (b) ELIGIBLE CONSORTIUM.—In this section, the
13 term “eligible consortium” means 2 or more local edu-
14 cational agencies that are located within the same metro-
15 politan or micropolitan statistical area and that have
16 formed a regional consortium.

17 (c) PROVISION OF DATA.—The Secretary, the Sec-
18 retary of Housing and Urban Development, the Adminis-
19 trator of the Environmental Protection Agency, and the
20 Secretary of Transportation shall provide each eligible
21 consortium that receives a planning grant under this sec-
22 tion with data relevant to that particular eligible consor-
23 tium about demographic trends, the spatial distribution of
24 poverty, environmental hazards, and access to education,
25 transportation, and economic opportunities across the con-

1 consortium's region, to assist the eligible consortium in devel-
2 oping the regional education equity plan.

3 (d) COMMUNITY OUTREACH.—Each eligible consor-
4 tium that receives a planning grant shall engage in exten-
5 sive community outreach to solicit comments from diverse
6 stakeholders on issues related to education equity in the
7 region of the consortium, as part of the process of devel-
8 oping the regional education equity plan.

9 (e) REGIONAL EDUCATION EQUITY PLAN.—

10 (1) IN GENERAL.—Upon receipt of the data de-
11 scribed in subsection (c) and completion of the out-
12 reach described in subsection (d), each eligible con-
13 sortium that receives a planning grant under this
14 section shall use such data and the results of such
15 outreach to develop a 5-year regional education eq-
16 uity plan. The regional education equity plan shall—

17 (A) identify racial, class, gender, and dis-
18 ability-related inequities in education access
19 within the region at the time of the plan's de-
20 velopment;

21 (B) identify the historic causes of those in-
22 equities; and

23 (C) describe activities to redress those in-
24 equities.

1 (2) EQUITY ASSESSMENT TOOL.—The Secretary
2 shall provide each eligible consortium receiving a
3 planning grant under this section with an equity as-
4 sessment tool, which shall be a structured list of
5 questions to guide the consortium in the develop-
6 ment of the regional education equity plan. The
7 structured list of questions shall be developed in con-
8 sultation with representatives of impacted commu-
9 nities and education equity groups in a manner that
10 aligns and is consistent with the principles entitled
11 “Jemez Principles for Democratic Organizing” and
12 dated December 1996.

13 (f) APPLICATION; EQUITY PLAN.—

14 (1) APPLICATION.—Each eligible consortium
15 desiring a planning grant under this section shall
16 submit an application to the Secretary, at such time,
17 in such manner, and containing such information as
18 the Secretary may reasonably require.

19 (2) EQUITY PLAN.—Each eligible consortium
20 desiring an implementation grant under this section
21 shall submit a regional education equity plan to the
22 Secretary, at such time, in such manner, and con-
23 taining such information as the Secretary may rea-
24 sonably require, which shall include, at a minimum,
25 the information described in subsection (e). If the

1 Secretary does not approve the plan, the Secretary
2 shall work with the eligible consortium and provide
3 technical assistance to assist the eligible consortium
4 in revising the regional education equity plan until
5 the Secretary determines that such plan will be ap-
6 proved.

7 (g) USE OF FUNDS FOR IMPLEMENTATION.—An eli-
8 gible consortium receiving an implementation grant under
9 this section shall—

10 (1) distribute such grant funds to elementary
11 and secondary schools that are served by local edu-
12 cational agencies in the eligible consortium in ac-
13 cordance with the regional education equity plan;
14 and

15 (2) may use grant funds for resource sharing
16 and the centralization of administration, planning,
17 and procurement among the local educational agen-
18 cies in the consortium, with the aim of ensuring an
19 equitable distribution of funding and staffing and
20 equitable access to high-quality curricula and edu-
21 cational opportunities for students, including stu-
22 dents who are children with disabilities and low-in-
23 come students.

24 (h) ACCOUNTABILITY.—An eligible consortium that
25 receives an implementation grant under this section shall

1 post on a publicly available website data about annual
2 benchmarks that are achieved during the 5-year grant pe-
3 riod.

4 (i) AUTHORIZATION OF APPROPRIATIONS.—

5 (1) IN GENERAL.—There is authorized to be
6 appropriated to carry out this section \$100,000,000
7 for the 10-fiscal-year period following the date of en-
8 actment of this Act.

9 (2) ADMINISTRATIVE EXPENSES.—There are
10 authorized to be appropriated to the Secretary for
11 the administrative expenses of carrying out this sec-
12 tion such sums as are necessary.

13 **SEC. 105. IDEA FUNDING.**

14 There are authorized to be appropriated to carry out
15 part B of the Individuals with Disabilities in Education
16 Act (20 U.S.C. 1411 et seq.), \$33,000,000,000 for each
17 of the 10 fiscal years following the date of enactment of
18 this Act.

19 **SEC. 106. ELEMENTARY AND SECONDARY EDUCATION**
20 **FUNDING.**

21 There are authorized to be appropriated to carry out
22 part A of title I of the Elementary and Secondary Edu-
23 cation Act of 1965 (20 U.S.C. 6301 et seq.),
24 \$66,000,000,000 for each of the 10 fiscal years following
25 the date of enactment of this Act.

1 **TITLE II—CLIMATE CHANGE**
2 **RESILIENCY**

3 **SEC. 201. DEFINITIONS.**

4 In this Act:

5 (1) **COMMUNITY RESILIENCY CENTER.**—The
6 term “community resiliency center” means a center
7 that provides community resources and improves dis-
8 aster preparedness, response, or recovery in the com-
9 munity and—

10 (A) may conduct, or provide space for, tar-
11 geted activities such as helping reach commu-
12 nity members not well-served by existing re-
13 sources or preparedness programs, and serving
14 as a shelter or communications center in emer-
15 gencies, distributing food, energy and other
16 basic needs during or after a disaster, and ena-
17 bling faster recovery through connecting com-
18 munity members with services; and

19 (B) may distribute food, energy, or other
20 basic needs on an ongoing basis.

21 (2) **ENVIRONMENTAL JUSTICE COMMUNITY.**—
22 The term “environmental justice community” means
23 a community with significant representation of com-
24 munities of color, low-income communities, or Tribal
25 and indigenous communities that experiences, or is

1 at risk of experiencing, higher or more adverse
2 human health or environmental effects as compared
3 to other communities.

4 **SEC. 202. CLIMATE CHANGE RESILIENCY PROGRAM.**

5 The Secretary shall establish a Climate Change Resil-
6 iency Program to—

7 (1) increase the resiliency of the United States
8 public school system, BIE schools, and schools fund-
9 ed by BIE during—

10 (A) climate change-related events and nat-
11 ural disasters, including extreme weather
12 events, droughts, hurricanes, coastal and inland
13 flooding, sea level rise, increased storm surge,
14 wildfires, mudslides, extreme temperatures, tor-
15 nadoes, earthquakes, and volcanos; and

16 (B) public health crises;

17 (2) increase the ability of the United States
18 public school system, BIE schools, and schools fund-
19 ed by BIE to advance climate justice and environ-
20 mental justice by serving as community resiliency
21 centers;

22 (3) build partnerships among local businesses,
23 labor unions, apprenticeship programs, nonprofit or-
24 ganizations, and educators to facilitate applied
25 STEAM and social science learning opportunities re-

1 lated to climate resiliency for students and create
2 local jobs; and

3 (4) prioritize public educational institutions,
4 BIE schools, and schools funded by BIE as centers
5 of innovation and pathways to green collar jobs
6 through investments in vocational and technical edu-
7 cation in public schools that connect to labor organi-
8 zation apprenticeships and other high-road jobs.

9 **SEC. 203. GRANT PROGRAM.**

10 (a) **IN GENERAL.**—As part of the Climate Change
11 Resiliency Program established under section 202, the
12 Secretary shall establish a program to make grants to
13 State educational agencies, in partnership with local edu-
14 cational agencies and local nonprofit organizations, for the
15 development and implementation of Statewide, regional, or
16 local climate resiliency plans or climate resiliency projects
17 for public elementary and secondary schools, BIE schools,
18 and schools funded by BIE, with the aim of enabling pub-
19 lic schools to serve as community resiliency centers.

20 (b) **CLIMATE RESILIENCY PLANS AND PROJECTS.**—
21 Each climate resiliency plan or climate resiliency project
22 under subsection (a) shall include 1 or more of the fol-
23 lowing depending on the needs of the schools and sur-
24 rounding communities to be served:

1 (1) Improvements to school buildings and
2 grounds, including projects such as—

3 (A) installing on-site distributed generation
4 that combines energy efficient devices, energy
5 storage, and renewable energy to allow the
6 school to access essential energy during power
7 outages and optimize use of on-site and off-site
8 energy sources for emissions reductions;

9 (B) upgrading school kitchen facilities to
10 support the preparation of scratch-cooked stu-
11 dent meals that use whole ingredients and are
12 rich in fruits, vegetables, legumes, and whole
13 grains;

14 (C) projects that generate and maintain
15 publicly accessibly integrated sustainability data
16 and building management platforms;

17 (D) improving walkability and accessibility
18 on school grounds and in school buildings;

19 (E) acquiring relevant disaster response
20 equipment and carrying out disaster response
21 training;

22 (F) procuring electric school buses;

23 (G) installing public charging infrastruc-
24 ture for electric school buses and electric vehi-
25 cles;

1 (H) establishing or improving dedicated in-
2 frastructure for safe transportation by bicycle,
3 including bicycle lanes and parking spots;

4 (I) establishing or improving vehicle speed
5 reduction infrastructure; and

6 (J) a project involving the installation of
7 high-speed internet infrastructure, in coordina-
8 tion with the E-rate program of the Federal
9 Communications Commission set forth under
10 subpart F of part 54 of title 47, Code of Fed-
11 eral Regulations (or any successor regula-
12 tion)—

13 (i) in order to provide universal inter-
14 net access for schools served by the grant-
15 ee, BIE schools, and schools funded by
16 BIE;

17 (ii) with an upload speed that allows
18 for the full execution of activities related to
19 virtual teaching and learning, including the
20 access and use of interactive online learn-
21 ing modules and textbooks, online profes-
22 sional learning courses, and
23 videoconferencing;

1 (iii) including the ongoing costs asso-
2 ciated with providing that internet infra-
3 structure and access;

4 (iv) with respect to which, schools are
5 encouraged to partner with municipal and
6 other public or nonprofit entities to sup-
7 port internet access; and

8 (v) with respect to which the school
9 will ensure that all internet service pro-
10 viders with which the school contracts for
11 the project include open access infrastruc-
12 ture.

13 (2) Green infrastructure projects and projects
14 to increase food supply resiliency, such as—

15 (A) wetlands, drainage ponds, and any
16 other green infrastructure to protect schools
17 from projected severe effects with respect to ex-
18 treme weather, natural disasters, or climate
19 change-related events, including sea-level rise,
20 flooding, and increased risk of wildfire;

21 (B) green rooftops and walls that meet the
22 minimum performance standard specified within
23 the Living Architecture Performance Tool
24 (LAPT) rating system, implemented or com-
25 pleted in consultation with at least one Green

1 Roof Professional (GRP) as accredited by the
2 Green Roof Industry Association, particularly
3 those that can provide temperature manage-
4 ment and air quality improvements and reduce
5 stormwater runoff;

6 (C) indoor plantings, particularly those
7 that can provide air quality improvements;

8 (D) tree plantings and green playgrounds
9 that, at appropriate times, can act as a green
10 space for the community;

11 (E) community gardens that may be used
12 by the school to provide healthy food for stu-
13 dents or by the community to provide healthy
14 food for community residents;

15 (F) procurement of local, organic, and
16 sustainably produced food, including a focus on
17 healthy, plant-based options; and

18 (G) large scale food composting operations,
19 and other projects to reduce single-use plastic
20 and promote zero-waste options.

21 (3) Projects to enable remote learning in the
22 event that a school building is unusable due to a
23 natural disaster, climate- or climate-change related
24 event, severe weather, or infectious disease out-
25 breaks.

1 (4) Projects for climate resiliency education, in-
2 cluding STEAM and social science education and ca-
3 reer preparation, such as projects that combine up-
4 grades to school buildings and grounds with career
5 and technical education opportunities.

6 (5) Any other type of plan or project carried
7 out by the State educational agency that the Sec-
8 retary determines will increase the resiliency of a
9 school or school infrastructure provided, operated, or
10 owned by the State educational agency with respect
11 to the events described in section 202(1).

12 (c) PRIORITY.—The Secretary shall develop metrics
13 to evaluate grant applications and give priority to applica-
14 tions for climate resiliency plans or climate resiliency
15 projects that focus on improving schools in neighborhoods
16 that experience low air quality, lack green space and
17 healthy food, bear higher cumulative pollution burdens, or
18 are at high risk of experiencing the adverse effects of cli-
19 mate change.

20 (d) COMPONENTS.—The Secretary, directly or
21 through partnerships with States and nonprofit organiza-
22 tion, shall provide technical assistance to support grantees
23 in developing and implementing climate resiliency plans or
24 climate resiliency projects that—

1 (1) provide hands-on education and applied
2 STEAM and social science learning opportunities to
3 students;

4 (2) demonstrate a commitment to provide job
5 training, apprenticeship programs, and contracting
6 opportunities to residents and small businesses
7 owned by residents of the community that the school
8 serves;

9 (3) identify and further community priority ac-
10 tions and conduct robust community engagement;

11 (4) utilize climate change data for a proactive
12 solutions;

13 (5) employ nature-based solutions that focus on
14 protection, restoration, or management of ecological
15 systems to safeguard public health, provide clean air
16 and water, increase natural hazard resilience, and
17 sequester carbon;

18 (6) increase equitable outcomes for and support
19 strong partnerships with environmental justice com-
20 munities and climate vulnerable populations;

21 (7) achieve broad and multiple community ben-
22 efits; and

23 (8) monitor project success and maintaining the
24 project into the future.

1 (e) EXISTING INITIATIVES.—The Secretary may en-
2 courage and give priority to climate resiliency plans or cli-
3 mate resiliency projects that integrate with and inform ex-
4 isting sustainability initiatives, such as the Department of
5 Education Green Ribbon Schools program.

6 (f) ENVIRONMENTAL HEALTH.—The Secretary may
7 develop and encourage metrics to support consistent re-
8 porting of environmental health best practices and other
9 outcomes.

10 (g) COORDINATION.—

11 (1) ENVIRONMENTAL PROTECTION AGENCY.—
12 The Secretary shall coordinate with the Adminis-
13 trator of the Environmental Protection Agency to
14 provide technical guidance or assistance to State
15 educational agencies in designing and carrying out
16 climate resiliency plans or climate resiliency projects
17 funded by the grant program as they relate to
18 healthy schools.

19 (2) DEPARTMENT OF ENERGY.—The Secretary
20 shall coordinate with the Secretary of Energy to de-
21 velop metrics to evaluate grant applications and pro-
22 vide technical assistance to State and local edu-
23 cational agencies in designing and carrying out cli-
24 mate resiliency plans or climate resiliency projects.

1 (h) PARTNERS.—A recipient of a grant under this
2 section to carry out a project described in subsection
3 (b)(1)(J) shall, to the extent practicable, partner with
4 local government and other public or nonprofit entities to
5 support internet access, and all service providers shall use
6 open access infrastructure.

7 (i) ENVIRONMENTAL JUSTICE COMMUNITIES.—The
8 Secretary shall ensure that not less than 50 percent of
9 funds awarded under this section are used for projects lo-
10 cated in environmental justice communities.

11 (j) WAGE RATE REQUIREMENTS.—

12 (1) IN GENERAL.—Notwithstanding any other
13 provision of law, all laborers and mechanics em-
14 ployed by contractors and subcontractors on projects
15 funded directly by a grant under this section shall
16 be paid wages at rates not less than those prevailing
17 on projects of a similar character in the locality, as
18 determined by the Secretary of Labor in accordance
19 with subchapter IV of chapter 31 of title 40, United
20 States Code (commonly referred to as the “Davis-
21 Bacon Act”).

22 (2) AUTHORITY.—With respect to the labor
23 standards specified in paragraph (1), the Secretary
24 of Labor shall have the authority and functions set
25 forth in Reorganization Plan Numbered 14 of 1950

1 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of
2 title 40, United States Code.

3 (k) USE OF AMERICAN IRON, STEEL, AND MANUFAC-
4 TURED PRODUCTS.—

5 (1) DEFINITIONS.—In this subsection:

6 (A) MANUFACTURED PRODUCT.—The term
7 “manufactured product” means any construc-
8 tion material or end product (as those terms
9 are defined in part 25.003 of the Federal Ac-
10 quisition Regulation) that is not an iron or steel
11 product, including—

12 (i) electrical components; and
13 (ii) non-ferrous building materials, in-
14 cluding aluminum, polyvinylchloride, glass,
15 fiber optics, plastic, wood, masonry, rub-
16 ber, manufactured stone, any other non-
17 ferrous metals, and any unmanufactured
18 construction material.

19 (B) PRODUCED IN THE UNITED STATES.—
20 The term “produced in the United States”
21 means the following:

22 (i) When used with respect to a man-
23 ufactured product, the product was manu-
24 factured in the United States and the cost
25 of the components of that product that

1 were mined, produced, or manufactured in
2 the United States exceeds 60 percent of
3 the total cost of all components of the
4 product.

5 (ii) When used with respect to iron or
6 steel products, or an individual component
7 of a manufactured product, all manufac-
8 turing processes for those iron or steel
9 products or components, from the initial
10 melting stage through the application of
11 coatings, occurred in the United States, ex-
12 cept that the term does not include—

13 (I) steel or iron material or prod-
14 ucts manufactured abroad from semi-
15 finished steel or iron from the United
16 States; or

17 (II) steel or iron material or
18 products manufactured in the United
19 States from semi-finished steel or iron
20 of foreign origin.

21 (2) REQUIREMENTS.—A State that receives
22 funds under this section shall ensure that any iron,
23 steel, and manufactured products used in a project
24 carried out with those funds are produced in the
25 United States.

1 (3) WAIVER AUTHORITY.—

2 (A) IN GENERAL.—The Secretary may
3 waive the requirement under paragraph (2) if
4 the Secretary determines that—

5 (i) applying the requirement would be
6 inconsistent with the public interest;

7 (ii) iron, steel, and manufactured
8 products produced in the United States are
9 not produced in a sufficient and reasonably
10 available quantity or are not of a satisfac-
11 tory quality; or

12 (iii) using iron, steel, and manufac-
13 tured products produced in the United
14 States will increase the cost of the applica-
15 ble overall project by more than 25 per-
16 cent.

17 (B) PUBLICATION.—Before issuing a waiv-
18 er under subparagraph (A), the Secretary shall
19 publish in the Federal Register a detailed writ-
20 ten explanation of the waiver determination.

21 (4) CONSISTENCY WITH INTERNATIONAL
22 AGREEMENTS.—This subsection shall be applied in a
23 manner consistent with the obligations of the United
24 States under international agreements.

1 **SEC. 204. REPORT.**

2 Not later than 2 years after the date of enactment
3 of this Act, and annually thereafter, the Secretary shall
4 submit to Congress a report that evaluates the effective-
5 ness of the activities carried out under this title.

6 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) **IN GENERAL.**—There is authorized to be appro-
8 priated to the Department of Education to carry out this
9 title \$4,000,000,000 for each of fiscal years 2022 through
10 2032.

11 (b) **LIMITATION.**—Not more than 5 percent of the
12 funds appropriated to carry out this title shall be used
13 for projects described in section 203(b)(3).

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