

118TH CONGRESS
1ST SESSION

H. R. 5784

To establish a Green New Deal for public schools.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2023

Mr. BOWMAN (for himself, Ms. ADAMS, Ms. BALINT, Ms. BARRAGÁN, Mr. BLUMENAUER, Mr. BOYLE of Pennsylvania, Ms. BUSH, Mr. CÁRDENAS, Mr. CARSON, Mr. CASAR, Mrs. CHERFILUS-McCORMICK, Ms. CLARKE of New York, Mr. CONNOLLY, Ms. CROCKETT, Mr. DAVIS of Illinois, Mrs. DINGELL, Mr. DOGGETT, Ms. ESCOBAR, Mr. ESPAILLAT, Mrs. FOUSHEE, Mr. FROST, Mr. ROBERT GARCIA of California, Mr. GARCÍA of Illinois, Mr. GOLDMAN of New York, Mr. GOMEZ, Mr. GREEN of Texas, Mr. GRIJALVA, Mrs. HAYES, Mr. HUFFMAN, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Ms. KAMLAGER-DOVE, Mr. KHANNA, Ms. LEE of Pennsylvania, Ms. LEE of California, Mr. LIEU, Mr. LYNCH, Ms. MCCOLLUM, Mr. MCGARVEY, Mr. MCGOVERN, Ms. MENG, Mr. MFUME, Ms. MOORE of Wisconsin, Mr. MULLIN, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Ms. OCASIO-CORTEZ, Ms. OMAR, Mr. PAYNE, Ms. PINGREE, Mr. POCAN, Ms. PORTER, Ms. PRESSLEY, Mr. QUIGLEY, Mrs. RAMIREZ, Mr. RASKIN, Ms. SÁNCHEZ, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SMITH of Washington, Ms. STANSBURY, Mr. TAKANO, Mr. THANEDAR, Mr. THOMPSON of Mississippi, Ms. TLAIB, Ms. TOKUDA, Mr. TONKO, Mr. TORRES of New York, Mr. VARGAS, Ms. VELÁZQUEZ, Ms. WATERS, Mrs. WATSON COLEMAN, Ms. WILLIAMS of Georgia, Ms. WILSON of Florida, Mrs. TRAHAN, and Ms. MATSUI) introduced the following bill; which was referred to the Committee on Education and the Workforce

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Green New Deal for
3 Public Schools Act of 2023”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 This table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

TITLE I—CLIMATE CAPITAL FACILITIES GRANTS, RESOURCE
BLOCK GRANTS, AND EDUCATIONAL EQUITY GRANTS

- Sec. 101. General provisions.
- Sec. 102. Climate capital facilities grants.
- Sec. 103. Resource block grants.
- Sec. 104. Educational equity planning grants.
- Sec. 105. IDEA funding.
- Sec. 106. Elementary and Secondary Education funding.

TITLE II—CLIMATE CHANGE RESILIENCY

- Sec. 201. Definitions.
- Sec. 202. Climate change resiliency program.
- Sec. 203. Grant program.
- Sec. 204. Report.
- Sec. 205. Authorization of appropriations.

6 **SEC. 3. DEFINITIONS.**

7 Except as otherwise expressly provided, in this Act:

8 (1) **BIE TERMS.**—The terms “BIE schools”
9 and “schools funded by BIE” means—

10 (A) schools and dormitories operated by
11 the Bureau of Indian Education;

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

15 and

1 (C) schools and dormitories operated pur-
2 suant to a contract under the Indian Self-De-
3 termination and Education Assistance Act (25
4 U.S.C. 5301 et seq.).

5 (2) ESEA TERMS.—The terms “child with a
6 disability”, “elementary school”, “English learner”,
7 “paraprofessional”, “secondary school”, “local edu-
8 cational agency”, and “Secretary” have the mean-
9 ings given those terms in section 8101 of the Ele-
10 mentary and Secondary Education Act of 1965 (20
11 U.S.C. 7801).

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

18 (4) CLIMATE JUSTICE.—The term “climate jus-
19 tice” means the fair treatment and meaningful in-
20 volvement of all people, regardless of race, color, cul-
21 ture, national origin, or income, with respect to the
22 development, implementation, and enforcement of
23 policies and projects to ensure that each person en-
24 joys the same degree of protection from the adverse
25 effects of climate change.

1 (5) ENVIRONMENTAL JUSTICE.—The term “en-
2 vironmental justice” means the fair treatment and
3 meaningful involvement of all people, regardless of
4 race, color, culture, national origin, or income, with
5 respect to the development, implementation, and en-
6 forcement of environmental laws, regulations, and
7 policies to ensure that each person enjoys—

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

10 (B) equal access to any Federal agency ac-
11 tion on justice issues related to the environment
12 in order to have a healthy environment in which
13 to live, learn, work, and recreate.

14 (6) NONPROFIT ORGANIZATION.—The term
15 “nonprofit organization” means an organization de-
16 scribed in section 501(c)(3) of the Internal Revenue
17 Code of 1986 and exempt from taxation under
18 501(a) of that Code.

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

1 **TITLE I—CLIMATE CAPITAL FA-**
2 **CILITIES GRANTS, RESOURCE**
3 **BLOCK GRANTS, AND EDU-**
4 **CATIONAL EQUITY GRANTS**

5 **SEC. 101. GENERAL PROVISIONS.**

6 (a) CREATION OF NEW OFFICE AT THE DEPART-
7 MENT OF EDUCATION.—There is established in the De-
8 partment of Education, an Office of Sustainable Schools,
9 which shall—

10 (1) administer the resource block grant pro-
11 gram under section 103 and the educational equity
12 grant program under section 104;

13 (2) in close collaboration with the Department
14 of Energy, the White House Office of Domestic Cli-
15 mate Policy, the Environmental Protection Agency,
16 and the Department of Agriculture, coordinate the
17 activities of those grant programs with—

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

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

23 (b) RESOURCE ALLOCATION PLAN.—Each applicant
24 for a grant under this title shall submit with their applica-
25 tion a resource allocation plan, which shall include—

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

3 (2) a values statement document, which shall be
4 developed after a community-engaged planning proc-
5 ess, with representation from educators, principals,
6 administrators, students, parents, school boards,
7 caregivers, Indian Tribes (where applicable), and
8 community organizations that have documented ex-
9 perience as local providers and partners, and which
10 shall include—

11 (A) an outline of the applicant’s goals to
12 address environmental, economic, and edu-
13 cational equity in the projects and activities
14 supported by the grant funds;

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

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

20 (i) filled by individuals hired through
21 a local community-based hiring process, in
22 a matter that contributes to the stated eq-
23 uity goals, especially individuals who reside
24 in the same catchment area as students at-
25 tending the school in which those individ-

1 uals will work, or individuals who pre-
2 viously attended the school in which those
3 individuals will work; or

4 (ii) filled by individuals who reside in
5 a ZIP Code served by the local educational
6 agency receiving the grant or in a neigh-
7 boring ZIP Code;

8 (D) as applicable, a commitment to local
9 hiring from businesses, nonprofit organizations,
10 and cooperatives (including worker coopera-
11 tives) in a manner that contributes to the stat-
12 ed equity goals, advances the economic and so-
13 cial empowerment of traditionally disadvan-
14 taged individuals and communities (including
15 low-income and low-wealth individuals and com-
16 munities), and creates opportunities for—

17 (i) people of color;

18 (ii) immigrants, regardless of immi-
19 grant status;

20 (iii) formerly incarcerated individuals;

21 (iv) women;

22 (v) LGBTQIAP+ individuals;

23 (vi) individuals with disabilities or
24 chronic illness;

25 (vii) young or elderly individuals;

1 (viii) young adults exiting the foster
2 care system; and

3 (ix) unhoused individuals; and

4 (E) a plan to ensure the greatest prac-
5 ticable number of training opportunities within
6 schools benefitting from grant funds under this
7 Act.

8 (c) DOCUMENTATION.—

9 (1) IN GENERAL.—Each recipient of a grant
10 under this title shall document the recipient’s
11 progress toward meeting the resource allocation plan
12 goals over the course of the grant period on a public
13 digitized platform, which may be an existing public
14 dashboard, data center, or information hub of a pub-
15 lic website.

16 (2) REQUIREMENTS.—A grant recipient shall
17 establish and maintain a public digitized platform
18 for the purposes described in this subsection if one
19 has not already been established on the date of the
20 grant award.

21 (3) ACCESSIBLE DATA.—Each recipient of a
22 grant under this title shall ensure that data de-
23 scribed in this subsection and presented on the pub-
24 lic digitized platform is accessible to individuals in
25 multiple languages (as applicable to the relevant

1 community), accessible to individuals with different
2 literacy levels, accessible to those with sensory defi-
3 cits, and standardized.

4 (d) BUREAU OF INDIAN EDUCATION.—

5 (1) IN GENERAL.—The Secretary of Education
6 and the Secretary of Energy, as applicable, in con-
7 junction with the Secretary of the Interior, shall re-
8 serve a sufficient amount of grant funding and addi-
9 tional administrative expenses, for each grant pro-
10 gram authorized under this title, for the Bureau of
11 Indian Education to fully carry out the applicable
12 grant activities at all BIE schools and schools fund-
13 ed by BIE, which shall include providing any nec-
14 essary technical assistance to assist a BIE school or
15 school funded by BIE in creating a resource alloca-
16 tion plan or meeting other grant requirements in col-
17 laboration with the applicable Indian Tribe and com-
18 munity members.

19 (2) ENSURING SOVEREIGNTY AND SELF-DETER-
20 MINATION.—The Secretary of Education, the Sec-
21 retary of Energy, and the Secretary of the Interior
22 shall ensure that the administration of funds re-
23 served under paragraph (1) and provision of tech-
24 nical assistance under paragraph (1) is carried out

1 in accordance with principles of Indian Tribal sov-
2 ereignty and self-determination.

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

4 (a) DEFINITIONS.—In this section:

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

13 (A) Optimal air quality.

14 (B) Detoxification of air, water, and mate-
15 rials.

16 (C) Enhanced light quality.

17 (D) Improved energy efficiency.

18 (E) Improved water quality and efficiency.

19 (F) Safe and effective wastewater treat-
20 ment.

21 (G) Electrification and decarbonization.

22 (H) Optimized energy management.

23 (I) Distributed renewable energy.

24 (J) Structural integrity.

1 (K) Resilience to the impacts of climate
2 change and natural hazards.

3 (L) Comfort and accessibility for all users
4 of the facility, including temperature control.

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

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

14 (B) that does not contain any asbestos,
15 mold, fungus, lead, polychlorinated biphenyl
16 (PCB), or other contaminant identified as high-
17 priority by the Office of Sustainable Schools;

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

20 (D) the food service facilities of which use
21 all-electric systems that include contemporary
22 induction burners and convection stoves;

23 (E) that has installed onsite renewable en-
24 ergy, including solar photovoltaic systems, bat-
25 teries, flywheels, compressed air systems,

1 pumped hydroelectric systems, thermal energy
2 storage systems, and any other technologies
3 that provide distributed renewable energy gen-
4 eration, energy storage, and resilience to ex-
5 treme weather events, whenever conditions per-
6 mit;

7 (F) that continuously provides clean air,
8 clean water, and a comfortable learning and
9 working environment, including with respect to
10 temperature;

11 (G) that integrates natural and mechanical
12 systems for natural daylight, views to the out-
13 doors, and operable windows;

14 (H) that provides full accessibility in com-
15 pliance with—

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

18 (ii) applicable provisions of section
19 504 of the Rehabilitation Act of 1973 (29
20 U.S.C. 794); and

21 (I) that is designed to promote a safe, in-
22 clusive, and welcoming environment for all stu-
23 dents and staff.

24 (3) NATIONAL LABORATORY.—The term “Na-
25 tional Laboratory” has the meaning given the term

1 in section 2 of the Energy Policy Act of 2005 (42
2 U.S.C. 15801).

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

5 (A) a public elementary school; and

6 (B) a public secondary school.

7 (5) SECRETARY.—The term “Secretary” means
8 the Secretary of Energy, acting through the Assist-
9 ant Secretary for Energy Efficiency and Renewable
10 Energy.

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

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

19 (2) to construct new, healthy zero-carbon
20 schools, subject to the condition that each new,
21 healthy zero-carbon school so constructed shall be lo-
22 cated not less than 2,500 feet from any oil or gas
23 wells in the vicinity of the healthy zero-carbon
24 school.

25 (c) APPLICATION.—

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

6 (2) TECHNICAL ASSISTANCE.—On request of an
7 eligible entity applying for a grant under this sec-
8 tion, the Secretary shall provide to the eligible entity
9 technical assistance to develop the resource alloca-
10 tion plan required under section 101(b).

11 (3) APPROVAL.—The Secretary shall approve
12 each application that meets the requirements of this
13 section. In the case of an application that does not
14 meet such requirements, the Secretary shall consult
15 with the eligible entity and shall provide technical
16 assistance, as necessary, to ensure that the eligible
17 entity meets such requirements.

18 (d) DESCRIPTION OF ELIGIBLE ENTITIES.—

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

22 (A) A public school.

23 (B) A local educational agency, on behalf
24 of 1 or more public schools.

25 (C) A BIE school.

1 (D) A school funded by BIE.

2 (2) LIMITATION.—During the 4-year period be-
3 ginning on the date of establishment of the grant
4 program under subsection (b), only an eligible entity
5 described in paragraph (1) that is a public school
6 ranked as one of the $\frac{1}{3}$ most vulnerable schools in
7 the United States, based on the vulnerability rank-
8 ing, a local educational agency applying on behalf of
9 such a school, or any BIE school or school funded
10 by BIE, shall be eligible to receive a grant under
11 this section.

12 (e) ALLOCATION OF GRANT FUNDS.—

13 (1) IN GENERAL.—Subject to paragraph (2),
14 the Secretary shall provide to each eligible entity
15 that submits an application approved by the Sec-
16 retary under subsection (c)(3) a grant in accordance
17 with this section.

18 (2) ALLOCATION.—

19 (A) IN GENERAL.—The Secretary shall al-
20 locate grant funds to eligible entities described
21 in paragraph (1) in accordance with the for-
22 mula established under paragraph (3), subject
23 to the conditions described in subparagraph
24 (B).

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

6 (i) The amount of a grant provided
7 under this section to an eligible entity that
8 uses such amount to serve a public school
9 ranked as one of the $\frac{1}{3}$ most vulnerable
10 schools in the United States, based on the
11 vulnerability ranking, a local educational
12 agency applying on behalf of such a school,
13 or any BIE school or school funded by
14 BIE, shall be sufficient to cover 100 per-
15 cent of cost of carrying out a project de-
16 scribed in subsection (b)(1).

17 (ii) The amount of a grant provided
18 under this section to an eligible entity that
19 uses such amount to serve a public school
20 ranked as one of middle $\frac{1}{3}$ of schools in
21 the United States, based on the vulner-
22 ability ranking, or a local educational
23 agency applying on behalf of such a school,
24 shall be sufficient to cover $\frac{2}{3}$ of the cost

1 of carrying out a project described in sub-
2 section (b)(1).

3 (iii) The amount of a grant provided
4 under this section to an eligible entity that
5 uses such amount to serve a public school
6 ranked as one of the $\frac{1}{3}$ least vulnerable
7 schools in the United States, based on the
8 vulnerability ranking, or a local edu-
9 cational agency applying on behalf of such
10 a school, shall be sufficient to cover $\frac{1}{3}$ of
11 the cost of carrying out a project described
12 in subsection (b)(1).

13 (C) LOANS.—

14 (i) IN GENERAL.—An eligible entity
15 described in clause (ii) or (iii) of subpara-
16 graph (B) may submit to the Secretary an
17 application for a no-interest or low-interest
18 loan to cover any remaining costs of car-
19 rying out a project described in subsection
20 (b)(1).

21 (ii) LIMITATION.—The total amount
22 of loans provided by the Secretary under
23 clause (i) shall be not more than
24 \$446,000,000,000.

25 (3) FUNDING FORMULA.—

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

6 (B) REVISIONS.—After each subsequent
7 audit is conducted under subsection (h)(1)(B),
8 the Secretary shall revise the formula estab-
9 lished under subparagraph (A), based on the re-
10 sults of that audit.

11 (f) USE OF GRANT FUNDS.—

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

14 (A) to conduct healthy green retrofits to
15 convert 1 or more facilities to a healthy zero-
16 carbon school as soon as practicable after re-
17 ceiving the grant funds; or

18 (B) to construct a new, healthy zero-car-
19 bon school.

20 (2) ACTIVITIES TO SUPPORT SCHOOL SAFETY,
21 SECURITY, AND A WELCOMING SCHOOL ENVIRON-
22 MENT.—

23 (A) IN GENERAL.—In carrying out activi-
24 ties to comply with paragraph (1), a grant re-
25 cipient shall—

1 (i) consider and seek to incorporate,
2 to the greatest extent practicable, design
3 and construction strategies to promote
4 safety and security, support accessibility,
5 prevent violence, promote a sense of be-
6 longing, improve student mental health
7 and physical well-being, and foster a posi-
8 tive, inclusive, and welcoming school cul-
9 ture and environment, including through
10 evidence-based, trauma-informed physical
11 updates, such as—

12 (I) access control measures;

13 (II) internal door locks;

14 (III) appropriate lighting, includ-
15 ing natural daylight;

16 (IV) noise, temperature, and odor
17 control;

18 (V) spaces for storytelling, col-
19 laboration, connection, play, and
20 movement;

21 (VI) student-curated displays;

22 (VII) clear wayfinding;

23 (VIII) design principles to facili-
24 tate high-quality emergency response
25 or planning; and

1 (IX) other design and construc-
2 tion measures; and

3 (ii) engage students, parents, edu-
4 cators, and school staff early in the design
5 process.

6 (B) LIMITATION.—A grant recipient may
7 not use grant funds under this section—

8 (i) for measures that subject students
9 to potential penalties imposed by law en-
10 forcement, unduly surveil students, or oth-
11 erwise detract from a positive, inclusive,
12 and welcoming school culture and environ-
13 ment; and

14 (ii) for measures that would reduce
15 the accessibility of the school environment
16 for children with disabilities.

17 (3) ADDITIONAL AUTHORIZED USES.—After
18 complying with paragraph (1), a recipient of a grant
19 under this section may use the grant to pursue other
20 projects, consistent with the goals of a healthy green
21 retrofit, and in doing so, is encouraged to install
22 green rooftops that reduce stormwater runoff and
23 maximize urban island heat effect reduction benefits.
24 Such rooftops shall meet the minimum performance
25 standard specified within the Living Architecture

1 Performance Tool (LAPT) rating system, and shall
2 be implemented or completed in consultation with at
3 least one Green Roof Professional (GRP) as accredited
4 by the Green Roof Industry Association.

5 (4) SOLAR PV SYSTEMS.—A recipient of a grant
6 under this section is encouraged to use the grant to
7 purchase and install 1 or more solar photovoltaic
8 systems to maximize returns, rather than leasing
9 roof space to other individuals or entities.

10 (5) EFFICIENCY STANDARDS.—In carrying out
11 a project using a grant provided under this section,
12 an eligible entity shall carry out reasonable measures
13 to meet the following energy efficiency standards, as
14 applicable:

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

17 (i) to achieve—

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

20 or

21 (II) an Energy Star score of 90;

22 and

23 (ii) to offset not less than 30 percent
24 of energy consumption with onsite renewable
25 energy.

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

3 (i) to achieve—

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

6 or

7 (II) an Energy Star score of 70;

8 and

9 (ii) to offset not less than 20 percent
10 of energy consumption with onsite renew-
11 able energy.

12 (6) ADDITIONAL STANDARDS.—In carrying out
13 a project using a grant provided under this section,
14 an eligible entity shall adhere to the applicable guid-
15 ance contained in—

16 (A) the design guide of the American Soci-
17 ety of Heating, Refrigeration and Air-Conditi-
18 oning Engineers (ASHRAE) entitled “Achiev-
19 ing Zero Energy—Advanced Energy Design
20 Guide for K–12 School Buildings”; and

21 (B) the document of the National Renew-
22 able Energy Laboratory entitled “A Guide to
23 Zero Energy and Zero Energy Ready K–12
24 Schools”.

25 (g) MEASUREMENTS AND ASSESSMENTS.—

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

7 (A) before and after the project; and

8 (B) based on standards agreed to by the
9 eligible entity and the Secretary.

10 (2) PUBLICATION.—The Secretary shall make
11 all data submitted under paragraph (1) relating to
12 performance changes publicly available to enable
13 subsequent healthy green retrofit project sponsors to
14 learn from, and improve on, the processes and tech-
15 nologies used.

16 (h) COMPREHENSIVE AUDITS OF HEALTHY GREEN
17 RETROFIT NEEDS.—

18 (1) AUDITS.—

19 (A) INITIAL AUDIT.—Not later than 180
20 days after the date on which the Office of Sus-
21 tainable Schools is established under section
22 101(a), the Secretary, working jointly with the
23 head of the Office of Sustainable Schools, shall
24 complete an audit of a representative sample of
25 public schools, BIE schools, and schools funded

1 by BIE across the United States to identify
2 healthy green retrofit needs.

3 (B) SUBSEQUENT AUDITS.—After the ini-
4 tial audit is completed under subparagraph (A),
5 the Secretary, working jointly with the head of
6 the Office of Sustainable Schools, periodically
7 shall complete an audit of all public schools,
8 BIE schools, and schools funded by BIE across
9 the United States to identify healthy green ret-
10 rofit needs.

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

13 (A) local climatic conditions;

14 (B) regional variation;

15 (C) the high capital needs of public schools
16 served by local educational agencies that enroll
17 a high percentage of low-income children, BIE
18 schools, and schools funded by BIE;

19 (D) regional labor costs and labor markets;
20 and

21 (E) other necessary criteria, as determined
22 by the Secretary.

23 (i) CONSULTATIONS.—In administering the grant
24 program established under subsection (b) and conducting

1 each audit under subsection (h)(1), the Secretary shall col-
2 laborate closely with, and seek technical assistance from—

3 (1) the National Laboratories, particularly the
4 National Renewable Energy Laboratory;

5 (2) the Environmental Protection Agency; and

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

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

13 (k) LABOR STANDARDS.—

14 (1) LABOR AND BUY AMERICAN PROVISIONS.—

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

18 (i) Ensure that the materials used by
19 the contractor or subcontractor are sub-
20 stantially manufactured, mined, and pro-
21 duced in the United States in accordance
22 with chapter 83 of title 41, United States
23 Code (commonly known as the “Buy
24 American Act”).

1 (ii) Ensure that all laborers and me-
2 chanics employed by the contractor or sub-
3 contractor in the performance of construc-
4 tion, alteration, repair, or maintenance
5 work financed in whole or in part with as-
6 sistance under this section shall be paid
7 wages at rates not less than those pre-
8 vailing on similar construction in the local-
9 ity, as determined by the Secretary of
10 Labor, in accordance with subchapter IV
11 of chapter 31 of title 40, United States
12 Code (commonly known as the “Davis-
13 Bacon Act”). With respect to the labor
14 standards in this clause, the Secretary of
15 Labor shall have the authority and func-
16 tions set forth in Reorganization Plan
17 Numbered 14 of 1950 (64 Stat. 1267; 5
18 U.S.C. App.) and section 3145 of title 40,
19 United States Code.

20 (iii) With respect to a project or set of
21 projects located in the same local edu-
22 cational agency costing not less than
23 \$25,000,000, consent to a project labor
24 agreement.

1 (iv) Not hire employees through a
2 temporary staffing agency unless the rel-
3 evant State workforce agency certifies that
4 temporary employees are necessary to ad-
5 dress an acute, short-term labor demand.

6 (v) Have an explicit neutrality policy
7 on any issue involving the organization of
8 employees of the contractor or subcon-
9 tractor, and all contractors and sub-
10 contractors, for purposes of collective bar-
11 gaining.

12 (vi) For each project related to a
13 healthy green retrofit or new construction
14 of a school, demonstrate an ability to use
15 and to commit to use individuals enrolled
16 in a registered apprenticeship program who
17 shall, to the greatest extent practicable,
18 constitute not less than 20 percent of the
19 individuals working on the project.

20 (vii) To the greatest extent prac-
21 ticable, provide preferential treatment in
22 hiring laborers and mechanics that are—

23 (I) hired from within 50 miles of
24 their official residence;

1 (II) veterans or active or retired
2 military;

3 (III) highly skilled union work-
4 ers; or

5 (IV) returning citizens who were
6 formerly incarcerated individuals.

7 (viii) Not require mandatory arbitra-
8 tion for any dispute involving a worker en-
9 gaged in a service for the contractor or
10 subcontractor.

11 (ix) Consider an individual performing
12 any service under the grant as an em-
13 ployee, and not an independent contractor,
14 of the contractor or subcontractor, respec-
15 tively, unless—

16 (I) the individual is free from
17 control and direction in connection
18 with the performance of the service,
19 both under the contract for the per-
20 formance of the service and in fact;

21 (II) the service is performed out-
22 side the usual course of the business
23 of the contractor or subcontractor, re-
24 spectively; and

1 (III) the individual is customarily
2 engaged in an independently estab-
3 lished trade, occupation, profession, or
4 business of the same nature as that
5 involved in such service.

6 (B) ACTION TO ENFORCE INDEPENDENT
7 CONTRACTOR REQUIREMENT.—A third party,
8 including a State or local government, may
9 bring an action in any court of compet-
10 ent jurisdiction to enforce the require-
11 ments of subparagraph (A)(ix).

12 (2) PRE-APPRENTICESHIP.—To the greatest ex-
13 tent practicable, in carrying out a project funded by
14 a grant under this section, grant recipients shall give
15 preference to contractors or subcontractors that par-
16 ticipate in pre-apprenticeship programs that have
17 written agreements with one or more registered ap-
18 prenticeship programs.

19 (1) AUTHORIZATION OF APPROPRIATIONS.—

20 (1) IN GENERAL.—There is authorized to be
21 appropriated to the Secretary to provide grants
22 under subsection (b) \$446,000,000,000 for the 10-
23 fiscal-year period following the date of enactment of
24 this Act.

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

5 **SEC. 103. RESOURCE BLOCK GRANTS.**

6 (a) PROGRAM ESTABLISHED.—

7 (1) IN GENERAL.—The Secretary shall award a
8 grant to each qualified local educational agency with
9 an approved application to enable the qualified local
10 educational agency to bring additional eligible edu-
11 cators and support staff into elementary schools and
12 secondary schools and establish community partner-
13 ships, and carry out other activities described in this
14 section, with the goals of—

15 (A) expanding social service programming;

16 (B) developing locally designed and rooted
17 educational programs;

18 (C) developing and implementing trauma-
19 informed violence prevention strategies;

20 (D) promoting safe, secure, and welcoming
21 school and community environments;

22 (E) strengthening the educator pipeline;

23 (F) diversifying the workforce;

24 (G) better integrating knowledge of the
25 local community into schools; and

1 (H) providing support, training, and career
2 pathways for paraprofessionals.

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 educational programs, devel-
11 oped under paragraph (1) (as applicable), into
12 State educational plans and activities, and to
13 support, replicate, and disseminate such edu-
14 cational programs, as appropriate.

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
2 a 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;

8 (iii) aim to hire at least 1 full-time
9 equivalent school psychologist for every
10 500 students, at least 1 full-time equiva-
11 lent school counselor for every 250 stu-
12 dents, and at least 1 full-time equivalent
13 school social worker for every 250 students
14 served by the agency; and

15 (iv) where applicable, aim to shift spe-
16 cial educators from a caseload model to a
17 workload analysis model to ensure suffi-
18 cient capacity and time to support stu-
19 dents.

20 (E) A description of the local educational
21 agency's plan—

22 (i) to progress toward ending the
23 school-to-prison pipeline and zero tolerance
24 discipline, including by reducing suspen-

1 sions, expulsions, and referrals to law en-
2 forcement;

3 (ii) for progressing toward realloc-
4 ating resources spent on punishment to
5 restorative justice practices; and

6 (iii) to progress toward ending the use
7 of seclusion, restraint, and corporal pun-
8 ishment.

9 (2) APPROVAL.—

10 (A) IN GENERAL.—The Secretary shall ap-
11 prove each application that meets the require-
12 ments of this section.

13 (B) CONSULTATION AND TECHNICAL AS-
14 SISTANCE.—In the case of an application that
15 does not meet such requirements, the Secretary
16 shall—

17 (i) consult with the local educational
18 agency and shall provide technical assist-
19 ance, as necessary, to ensure that the local
20 educational agency meets such require-
21 ments; and

22 (ii) review and approve revised appli-
23 cations that meet such requirements.

24 (3) PRIORITY.—If the Secretary awards grants
25 under this section to local educational agencies that

1 are not qualified local educational agencies, in ac-
2 cordance with subsection (a)(3), the Secretary shall
3 give priority to local educational agencies that meet
4 one of the following criteria:

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

10 (B) Serving a percentage that is higher
11 than the State median of students who are chil-
12 dren with a disability.

13 (C) Serving a percentage that is higher
14 than the State median of students who are
15 English learners.

16 (D) Serving schools that have a per-pupil
17 expenditure that is lower than the State median
18 per-pupil expenditure.

19 (c) QUALIFIED LOCAL EDUCATIONAL AGENCY.—In
20 this section, the term “qualified local educational agency”
21 means—

22 (1) a local educational agency that serves one
23 or more schools that are ranked as one of the $\frac{1}{3}$
24 most vulnerable schools in the United States, based
25 on the vulnerability ranking;

1 (2) a local educational agency that serves ele-
2 mentary schools or secondary schools that are in the
3 bottom $\frac{1}{3}$ of all schools in the State when ranked
4 by student-to-staff ratios from lowest to highest ra-
5 tios based on the most recent data from the Na-
6 tional Center for Education Statistics; or

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

8 (d) USES OF FUNDS.—

9 (1) SUPPORT FOR ELIGIBLE EDUCATORS AND
10 SUPPORT STAFF.—

11 (A) IN GENERAL.—A local educational
12 agency receiving a grant under this section
13 shall use not less than 80 percent of grant
14 funds—

15 (i) to hire, on a full-time basis, and
16 pay the salaries of eligible educators and
17 support staff described in subparagraph
18 (B) for a period of 10 years;

19 (ii) to increase the salaries of para-
20 professionals and promote paraprofes-
21 sionals who meet the requirements for pro-
22 motion; and

23 (iii) to provide or facilitate access for
24 paraprofessionals to affordable training by
25 establishing partnerships with community

1 colleges and local institutions of higher
2 education, establishing tuition reimburse-
3 ment programs, or offering similar initia-
4 tives for training.

5 (B) ELIGIBLE EDUCATORS AND SUPPORT
6 STAFF.—The eligible educators and support
7 staff described in this subparagraph are—

- 8 (i) paraprofessionals;
- 9 (ii) mental health professionals, in-
10 cluding psychologists, therapists, and social
11 workers;
- 12 (iii) school counselors;
- 13 (iv) librarians;
- 14 (v) nurses;
- 15 (vi) restorative justice specialists;
- 16 (vii) community school site coordina-
17 tors;
- 18 (viii) teachers, including special edu-
19 cation teachers;
- 20 (ix) coordinators for culturally respon-
21 sive education;
- 22 (x) facilities and food service workers;
- 23 (xi) learning specialists, including
24 mathematics and reading specialists;

- 1 (xii) English as a Second Language
2 instructors;
- 3 (xiii) Native language and cultural
4 specialists; and
- 5 (xiv) staff to support other social serv-
6 ices programming.

7 (2) COMMUNITY PARTNERSHIPS, EDUCATIONAL
8 PROGRAMMING, AND SOCIAL SERVICE PROGRAM-
9 MING.—In addition to carrying out the activities de-
10 scribed in paragraph (1), a local educational agency
11 receiving a grant under this section shall use not
12 less than 2.5 percent and not more than 20 percent
13 of such funds for community partnerships, edu-
14 cational programming, social service programming,
15 and violence prevention and school safety initiatives,
16 which shall include one or more of the following:

17 (A) Development of place-based and expe-
18 riential education and community-driven edu-
19 cational programs, with a focus on educational
20 programs that affirm and explore the under-
21 lying principles of the Green New Deal, includ-
22 ing the significance of and the connections be-
23 tween racial, economic, and environmental and
24 climate justice, and that are responsive to the

1 impacts of climate change and socioeconomic
2 injustice on youth mental health.

3 (B) Programs and spaces that engage stu-
4 dents in hands-on, project-based learning across
5 science, technology, engineering, arts, and
6 mathematics instruction, as well as humanities
7 instruction, in the scientific, technical, design,
8 and social aspects of healthy green retrofits
9 funded by the climate capital facilities grants
10 under section 102, as well as of any other uses
11 of those grants.

12 (C) Spaces and programming to advance
13 vocational and career and technical education,
14 including project-based learning opportunities
15 and advancing such education in partnership
16 with career and technical education schools,
17 community colleges, local institutions of higher
18 education, community organizations, and pre-
19 apprenticeship programs, to prepare students
20 for a wide range of careers related to address-
21 ing climate change.

22 (D) Programming to support extra-
23 curricular, co-curricular, and community-based
24 activities such as arts, music, recreation, orga-
25 nized sports, honor societies, 4-H clubs, foreign

1 and Native languages, college access centers,
2 civic engagement clubs and activities, clubs and
3 activities to support movement and connected-
4 ness to nature, early child care centers, and
5 after-school and summer education program-
6 ming.

7 (E) Creating or supporting a school-based
8 youth peer support program.

9 (F) Other partnerships with local commu-
10 nity organizations and social service providers
11 to expand the scale and scope of on-site services
12 in support of the resource allocation plan for
13 the grant.

14 (G) Training and professional development
15 to advance trauma-informed, healing-centered
16 learning models and practices, centering on the
17 whole child and the child's cognitive, emotional,
18 and social needs, inclusive of culturally respon-
19 sive pedagogy.

20 (H) Providing funding to establish or im-
21 prove libraries, child care centers, health offices,
22 mental health and wellness centers, cafeteria
23 and dining spaces, gymnasiums, studios and art
24 spaces, outdoor green spaces, or job resource
25 centers in the schools that are served by the

1 local educational agency, which shall be oper-
2 ated by the local educational agency or the local
3 educational agency in partnership with a non-
4 profit organization.

5 (I) Website development and other commu-
6 nications to share and exchange knowledge and
7 best practices.

8 (J) Wellness, stress management, and
9 mindfulness training.

10 (K) Anti-racist and anti-hate educational
11 programming.

12 (L) Training for and implementation of re-
13 storative justice practices, including peer medi-
14 ation, restorative conferences, counseling, and
15 peace circles for students as well as anti-bul-
16 lying initiatives.

17 (M) Developing and implementing evi-
18 dence-based practices to support school safety
19 that do not rely on the criminal justice system.

20 (N) Developing and implementing evi-
21 dence-based, inclusive, and trauma-informed
22 practices to prevent violence and improve school
23 climate and culture, including schoolwide posi-
24 tive behavioral interventions and supports, re-
25 storative justice programs and interventions, so-

1 cial and emotional learning programs, commu-
2 nity-integrated violence prevention program-
3 ming, and programs to ensure students have ac-
4 cess to one-on-one relationships with mentors or
5 other caring adults.

6 (O) Improving school capacity to identify,
7 refer, and provide services to students and fam-
8 ilies in need of trauma support services or other
9 social services, including with the appropriate
10 technology and spaces to do so.

11 (P) Technical assistance, including con-
12 tract templates, local data clearinghouses for
13 best practices, and temporary staff to support
14 finding and building initial partnerships to
15 build the capacity to develop and sustain local
16 partnerships with other knowledge centers in
17 the community.

18 (Q) Increased parent and student engage-
19 ment in learning.

20 (R) Increased availability of translation to
21 create accessible learning environments for
22 English learners.

23 (3) REQUIREMENT.—A local educational agency
24 receiving a grant under this section shall ensure that
25 if such agency contracts with a third party to carry

1 out activities under this subsection, such third-
2 party—

3 (A) is located in the same catchment area
4 as students attending the school in which they
5 will work, or previously attended the school in
6 which they will work; or

7 (B) is located in a ZIP Code served by the
8 local educational agency receiving the grant or
9 in a neighboring ZIP Code.

10 (4) PROHIBITIONS ON USE OF FUNDS.—A local
11 educational agency receiving a grant under this sec-
12 tion may not use grant funds for any of the fol-
13 lowing:

14 (A) For measures that subject students to
15 potential penalties imposed by law enforcement,
16 unduly surveil students, or otherwise detract
17 from a positive, inclusive, and welcoming school
18 culture and environment.

19 (B) For measures that would reduce the
20 accessibility of the school environment for stu-
21 dents with disabilities.

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

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

6 (2) ensure that such educators and staff are
7 considered to be part of any existing (as of the date
8 of the hiring) applicable bargaining unit of a labor
9 organization and not considered to be executive em-
10 ployees or employees in other positions exempt from
11 the Fair Labor Standards Act of 1938 (29 U.S.C.
12 201 et seq.); and

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

18 (f) AUTHORIZATION OF APPROPRIATIONS.—

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

24 (2) ADMINISTRATIVE EXPENSES.—There are
25 authorized to be appropriated to the Secretary for

1 the administrative expenses of carrying out this sec-
2 tion such sums as are necessary.

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

4 (a) PROGRAM ESTABLISHED.—

5 (1) IN GENERAL.—The Secretary shall facilitate
6 an inclusive, regional equity planning process and
7 award grants to eligible consortia to eliminate intra-
8 region education inequities by providing Federal
9 funds to assist the eligible consortia in planning and
10 carrying out regional education equity plans, in ac-
11 cordance with this section.

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

18 (3) IMPLEMENTATION GRANT.—The Secretary
19 shall award an implementation grant under this sec-
20 tion to each eligible consortium with an approved re-
21 gional education equity plan to enable the consor-
22 tium to carry out activities to implement such plan.

23 (b) ELIGIBLE CONSORTIUM.—In this section, the
24 term “eligible consortium” means 2 or more local edu-
25 cational agencies that are located within the same metro-

1 politan or micropolitan statistical area and that have
2 formed a regional consortium.

3 (c) PROVISION OF DATA.—The Secretary, the Sec-
4 retary of Housing and Urban Development, the Adminis-
5 trator of the Environmental Protection Agency, and the
6 Secretary of Transportation shall provide each eligible
7 consortium that receives a planning grant under this sec-
8 tion with data relevant to that particular eligible consor-
9 tium about demographic trends, the spatial distribution of
10 poverty, environmental hazards, and access to education,
11 transportation, and economic opportunities across the con-
12 sortium’s region, to assist the eligible consortium in devel-
13 oping the regional education equity plan.

14 (d) COMMUNITY OUTREACH.—Each eligible consor-
15 tium that receives a planning grant shall engage in exten-
16 sive community outreach to solicit comments from diverse
17 stakeholders on issues related to education equity in the
18 region of the consortium, as part of the process of devel-
19 oping the regional education equity plan.

20 (e) REGIONAL EDUCATION EQUITY PLAN.—

21 (1) IN GENERAL.—Upon receipt of the data de-
22 scribed in subsection (c) and completion of the out-
23 reach described in subsection (d), each eligible con-
24 sortium that receives a planning grant under this
25 section shall use such data and the results of such

1 outreach to develop a 5-year regional education eq-
2 uity plan. The regional education equity plan shall—

3 (A) identify racial, class, gender, and dis-
4 ability-related inequities in education access
5 within the region at the time of the plan’s de-
6 velopment;

7 (B) identify the historic causes of those in-
8 equities; and

9 (C) describe activities to redress those in-
10 equities.

11 (2) EQUITY ASSESSMENT TOOL.—The Secretary
12 shall provide each eligible consortium receiving a
13 planning grant under this section with an equity as-
14 sessment tool, which shall be a structured list of
15 questions to guide the consortium in the develop-
16 ment of the regional education equity plan. The
17 structured list of questions shall be developed in con-
18 sultation with representatives of impacted commu-
19 nities and education equity groups in a manner that
20 aligns and is consistent with the principles entitled
21 “Jemez Principles for Democratic Organizing” and
22 dated December 1996.

23 (f) APPLICATION; EQUITY PLAN.—

24 (1) APPLICATION.—Each eligible consortium
25 desiring a planning grant under this section shall

1 submit an application to the Secretary, at such time,
2 in such manner, and containing such information as
3 the Secretary may reasonably require.

4 (2) EQUITY PLAN.—Each eligible consortium
5 desiring an implementation grant under this section
6 shall submit a regional education equity plan to the
7 Secretary, at such time, in such manner, and con-
8 taining such information as the Secretary may rea-
9 sonably require, which shall include, at a minimum,
10 the information described in subsection (e). If the
11 Secretary does not approve the plan, the Secretary
12 shall work with the eligible consortium and provide
13 technical assistance to assist the eligible consortium
14 in revising the regional education equity plan until
15 the Secretary determines that such plan will be ap-
16 proved.

17 (g) USE OF FUNDS FOR IMPLEMENTATION.—An eli-
18 gible consortium receiving an implementation grant under
19 this section shall—

20 (1) distribute such grant funds to elementary
21 schools and secondary schools that are served by
22 local educational agencies in the eligible consortium
23 in accordance with the regional education equity
24 plan; and

1 (2) may use grant funds for resource sharing
2 and the centralization of administration, planning,
3 and procurement among the local educational agen-
4 cies in the consortium, with the aim of ensuring an
5 equitable distribution of funding and staffing and
6 equitable access to high-quality curricula and edu-
7 cational opportunities for students, including stu-
8 dents who are children with disabilities and low-in-
9 come students.

10 (h) ACCOUNTABILITY.—An eligible consortium that
11 receives an implementation grant under this section shall
12 post on a publicly available website data about annual
13 benchmarks that are achieved during the 5-year grant pe-
14 riod.

15 (i) AUTHORIZATION OF APPROPRIATIONS.—

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

20 (2) ADMINISTRATIVE EXPENSES.—There are
21 authorized to be appropriated to the Secretary for
22 the administrative expenses of carrying out this sec-
23 tion such sums as are necessary.

1 **SEC. 105. IDEA FUNDING.**

2 There are authorized to be appropriated to carry out
3 part B of the Individuals with Disabilities in Education
4 Act (20 U.S.C. 1411 et seq.), \$44,000,000,000 for each
5 of the 10 fiscal years following the date of enactment of
6 this Act.

7 **SEC. 106. ELEMENTARY AND SECONDARY EDUCATION**
8 **FUNDING.**

9 There are authorized to be appropriated to carry out
10 part A of title I of the Elementary and Secondary Edu-
11 cation Act of 1965 (20 U.S.C. 6311 et seq.),
12 \$74,000,000,000 for each of the 10 fiscal years following
13 the date of enactment of this Act.

14 **TITLE II—CLIMATE CHANGE**
15 **RESILIENCY**

16 **SEC. 201. DEFINITIONS.**

17 In this Act:

18 (1) **COMMUNITY RESILIENCY CENTER.**—The
19 term “community resiliency center” means a center
20 that provides community resources and improves dis-
21 aster preparedness, response, or recovery in the com-
22 munity and—

23 (A) may conduct, or provide space for, tar-
24 getted activities such as helping reach commu-
25 nity members not well-served by existing re-
26 sources or preparedness programs, and serving

1 as a shelter or communications center in emer-
2 gencies, distributing food, energy and other
3 basic needs during or after a disaster, providing
4 trauma-informed care and mental health serv-
5 ices during or after a disaster, and enabling
6 faster recovery through connecting community
7 members with services; and

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

10 (2) ENVIRONMENTAL JUSTICE COMMUNITY.—

11 The term “environmental justice community” means
12 a community with significant representation of com-
13 munities of color, low-income communities, or Tribal
14 and indigenous communities that experiences, or is
15 at risk of experiencing, higher or more adverse
16 human health or environmental effects as compared
17 to other communities.

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

19 The Secretary shall establish a Climate Change Resil-
20 iency Program to—

21 (1) increase the resiliency of the United States
22 public school system, BIE schools, and schools fund-
23 ed by BIE during—

24 (A) climate change-related events and nat-
25 ural disasters, including extreme weather

1 events, droughts, hurricanes, coastal and inland
2 flooding, sea level rise, increased storm surge,
3 wildfires, mudslides, extreme temperatures, tor-
4 nadoes, earthquakes, and volcanos; and

5 (B) public health crises;

6 (2) increase the ability of the United States
7 public school system, BIE schools, and schools fund-
8 ed by BIE to advance climate justice and environ-
9 mental justice by serving as community resiliency
10 centers;

11 (3) build partnerships among local businesses,
12 labor unions, apprenticeship programs, nonprofit or-
13 ganizations, and educators to facilitate applied
14 STEAM and social science learning opportunities re-
15 lated to climate resiliency for students and create
16 local jobs; and

17 (4) prioritize public educational institutions,
18 BIE schools, and schools funded by BIE as centers
19 of innovation and pathways to green collar jobs
20 through investments in vocational and technical edu-
21 cation in public schools that connect to labor organi-
22 zation registered apprenticeships and other high-
23 road jobs.

1 **SEC. 203. GRANT PROGRAM.**

2 (a) IN GENERAL.—As part of the Climate Change
3 Resiliency Program established under section 202, the
4 Secretary shall establish a program to make grants to
5 State educational agencies, in partnership with local edu-
6 cational agencies and local nonprofit organizations, for the
7 development and implementation of statewide, regional, or
8 local climate resiliency plans or climate resiliency projects
9 for public elementary schools and secondary schools, BIE
10 schools, and schools funded by BIE, with the aim of ena-
11 bling public schools to serve as community resiliency cen-
12 ters.

13 (b) CLIMATE RESILIENCY PLANS AND PROJECTS.—
14 Each climate resiliency plan or climate resiliency project
15 under subsection (a) shall include 1 or more of the fol-
16 lowing depending on the needs of the schools and sur-
17 rounding communities to be served:

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

20 (A) installing on-site distributed generation
21 that combines energy efficient devices, energy
22 storage, and renewable energy to allow the
23 school to access essential energy during power
24 outages and optimize use of on-site and off-site
25 energy sources for emissions reductions;

1 (B) upgrading school kitchen facilities to
2 support the preparation of scratch-cooked stu-
3 dent meals that use whole ingredients and are
4 rich in fruits, vegetables, legumes, and whole
5 grains;

6 (C) projects that generate and maintain
7 publicly accessibly integrated sustainability data
8 and building management platforms;

9 (D) improving walkability and accessibility
10 on school grounds and in all school buildings;

11 (E) acquiring relevant disaster response
12 equipment and carrying out disaster response
13 training;

14 (F) procuring electric school buses;

15 (G) installing public charging infrastruc-
16 ture for electric school buses and electric vehi-
17 cles;

18 (H) establishing or improving dedicated in-
19 frastructure for safe transportation by bicycle,
20 including bicycle lanes and parking spots;

21 (I) enhancing multi-modal access to sup-
22 port the needs of all students, families, and
23 staff, whether they walk, bike, use transit, or
24 use other means of transportation to and from
25 school;

1 (J) establishing or improving vehicle speed
2 reduction infrastructure; and

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

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

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

21 (iii) including the ongoing costs asso-
22 ciated with providing that internet infra-
23 structure and access;

24 (iv) with respect to which, schools are
25 encouraged to partner with municipal and

1 other public or nonprofit entities to sup-
2 port internet access; and

3 (v) with respect to which the school
4 will ensure that all internet service pro-
5 viders with which the school contracts for
6 the project include open access infrastruc-
7 ture.

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

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

16 (B) green rooftops and walls that meet the
17 minimum performance standard specified within
18 the Living Architecture Performance Tool
19 (LAPT) rating system, implemented or com-
20 pleted in consultation with at least one Green
21 Roof Professional (GRP) as accredited by the
22 Green Roof Industry Association, particularly
23 those that can provide temperature manage-
24 ment and air quality improvements and reduce
25 stormwater runoff;

1 (C) indoor plantings, particularly those
2 that can provide air quality improvements;

3 (D) tree plantings and green playgrounds
4 that, at appropriate times, can act as a green
5 space for the community;

6 (E) community gardens that may be used
7 by the school to provide healthy food for stu-
8 dents or by the community to provide healthy
9 food for community residents;

10 (F) procurement of local, organic, and
11 sustainably produced food, including a focus on
12 healthy, plant-based options; and

13 (G) large scale food composting operations,
14 and other projects to reduce single-use plastic
15 and promote zero-waste options.

16 (3) Projects to enable remote learning in the
17 event that a school building is unusable due to a
18 natural disaster, climate- or climate-change related
19 event, severe weather, or infectious disease out-
20 breaks.

21 (4) Projects for climate resiliency education, in-
22 cluding STEAM and social science education and ca-
23 reer preparation, such as projects that combine up-
24 grades to school buildings and grounds with career
25 and technical education opportunities.

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

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

15 (d) COMPONENTS.—The Secretary, directly or
16 through partnerships with States and nonprofit organiza-
17 tions, shall provide technical assistance to support grant-
18 ees in developing and implementing climate resiliency
19 plans or climate resiliency projects that—

20 (1) provide hands-on education and applied
21 STEAM and social science learning opportunities to
22 students;

23 (2) demonstrate a commitment to provide job
24 training, registered apprenticeship programs, and
25 contracting opportunities to residents and small

1 businesses owned by residents of the community that
2 the school serves;

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

5 (4) utilize climate change and community
6 health data for proactive solutions;

7 (5) employ nature-based solutions that focus on
8 protection, restoration, or management of ecological
9 systems to safeguard public health, provide clean air
10 and water, increase natural hazard resilience, and
11 sequester carbon;

12 (6) increase equitable outcomes for and support
13 strong partnerships with environmental justice com-
14 munities and climate vulnerable populations;

15 (7) achieve broad and multiple community ben-
16 efits; and

17 (8) monitor project success and maintaining the
18 project into the future.

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

24 (f) ENVIRONMENTAL HEALTH.—The Secretary may
25 develop and encourage metrics to support consistent re-

1 porting of environmental health best practices and other
2 outcomes.

3 (g) COORDINATION.—

4 (1) ENVIRONMENTAL PROTECTION AGENCY AND
5 AGRICULTURE.—The Secretary shall coordinate with
6 the Administrator of the Environmental Protection
7 Agency and the Secretary of Agriculture to provide
8 technical guidance or assistance to State educational
9 agencies in designing and carrying out climate resili-
10 ency plans or climate resiliency projects funded by
11 the grant program as they relate to healthy schools.

12 (2) DEPARTMENT OF ENERGY.—The Secretary
13 shall coordinate with the Secretary of Energy to de-
14 velop metrics to evaluate grant applications and pro-
15 vide technical assistance to State and local edu-
16 cational agencies in designing and carrying out cli-
17 mate resiliency plans or climate resiliency projects.

18 (h) PARTNERS.—A recipient of a grant under this
19 section to carry out a project described in subsection
20 (b)(1)(K) shall, to the extent practicable, partner with
21 local government and other public or nonprofit entities to
22 support internet access, and all service providers shall use
23 open access infrastructure.

24 (i) ENVIRONMENTAL JUSTICE COMMUNITIES.—The
25 Secretary shall ensure that not less than 50 percent of

1 funds awarded under this section are used for projects lo-
2 cated in environmental justice communities.

3 (j) WAGE RATE REQUIREMENTS.—

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

14 (2) AUTHORITY.—With respect to the labor
15 standards specified in paragraph (1), the Secretary
16 of Labor shall have the authority and functions set
17 forth in Reorganization Plan Numbered 14 of 1950
18 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of
19 title 40, United States Code.

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

22 (1) DEFINITIONS.—In this subsection:

23 (A) MANUFACTURED PRODUCT.—The term
24 “manufactured product” means any construc-
25 tion material or end product (as those terms

1 are defined in part 25.003 of the Federal Ac-
2 quisition Regulation) that is not an iron or steel
3 product, including—

4 (i) electrical components; and

5 (ii) non-ferrous building materials, in-
6 cluding aluminum, polyvinylchloride, glass,
7 fiber optics, plastic, wood, masonry, rub-
8 ber, manufactured stone, any other non-
9 ferrous metals, and any unmanufactured
10 construction material.

11 (B) PRODUCED IN THE UNITED STATES.—

12 The term “produced in the United States”
13 means the following:

14 (i) When used with respect to a man-
15 ufactured product, the product was manu-
16 factured in the United States and the cost
17 of the components of that product that
18 were mined, produced, or manufactured in
19 the United States exceeds 60 percent of
20 the total cost of all components of the
21 product.

22 (ii) When used with respect to iron or
23 steel products, or an individual component
24 of a manufactured product, all manufac-
25 turing processes for those iron or steel

1 products or components, from the initial
2 melting stage through the application of
3 coatings, occurred in the United States, ex-
4 cept that the term does not include—

5 (I) steel or iron material or prod-
6 ucts manufactured abroad from semi-
7 finished steel or iron from the United
8 States; or

9 (II) steel or iron material or
10 products manufactured in the United
11 States from semi-finished steel or iron
12 of foreign origin.

13 (2) REQUIREMENTS.—A State that receives
14 funds under this section shall ensure that any iron,
15 steel, and manufactured products used in a project
16 carried out with those funds are produced in the
17 United States.

18 (3) WAIVER AUTHORITY.—

19 (A) IN GENERAL.—The Secretary may
20 waive the requirement under paragraph (2) if
21 the Secretary determines that—

22 (i) applying the requirement would be
23 inconsistent with the public interest;

24 (ii) iron, steel, and manufactured
25 products produced in the United States are

1 not produced in a sufficient and reasonably
2 available quantity or are not of a satisfac-
3 tory quality; or

4 (iii) using iron, steel, and manufac-
5 tured products produced in the United
6 States will increase the cost of the applica-
7 ble overall project by more than 25 per-
8 cent.

9 (B) PUBLICATION.—Before issuing a waiv-
10 er under subparagraph (A), the Secretary shall
11 publish in the Federal Register a detailed writ-
12 ten explanation of the waiver determination.

13 (4) CONSISTENCY WITH INTERNATIONAL
14 AGREEMENTS.—This subsection shall be applied in a
15 manner consistent with the obligations of the United
16 States under international agreements.

17 **SEC. 204. REPORT.**

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

22 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—There is authorized to be appro-
24 priated to the Department of Education to carry out this

1 title \$4,000,000,000 for each of fiscal years 2024 through
2 2034.

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

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