

118TH CONGRESS
1ST SESSION

S. 2988

To establish a Green New Deal for public schools.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28 (legislative day, SEPTEMBER 22), 2023

Mr. MARKEY (for himself and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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 2023”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 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; mandatory appropriations.

1 **SEC. 3. DEFINITIONS.**

2 Except as otherwise expressly provided, in this Act:

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

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

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

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

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

1 mentary and Secondary Education Act of 1965 (20
2 U.S.C. 7801).

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

9 (4) CLIMATE JUSTICE.—The term “climate jus-
10 tice” means the fair treatment and meaningful in-
11 volvement of all people, regardless of race, color, cul-
12 ture, national origin, or income, with respect to the
13 development, implementation, and enforcement of
14 policies and projects to ensure that each person en-
15 joys the same degree of protection from the adverse
16 effects of climate change.

17 (5) ENVIRONMENTAL JUSTICE.—The term “en-
18 vironmental justice” means the fair treatment and
19 meaningful involvement of all people, regardless of
20 race, color, culture, national origin, or income, with
21 respect to the development, implementation, and en-
22 forcement of environmental laws, regulations, and
23 policies to ensure that each person enjoys—

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

1 (B) equal access to any Federal agency ac-
 2 tion on justice issues related to the environment
 3 in order to have a healthy environment in which
 4 to live, learn, work, and recreate.

5 (6) NONPROFIT ORGANIZATION.—The term
 6 “nonprofit organization” means an organization de-
 7 scribed in section 501(c)(3) of the Internal Revenue
 8 Code of 1986 and exempt from taxation under
 9 501(a) of that Code.

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

15 **TITLE I—CLIMATE CAPITAL FA-**
 16 **CILITIES GRANTS, RESOURCE**
 17 **BLOCK GRANTS, AND EDU-**
 18 **CATIONAL EQUITY GRANTS**

19 **SEC. 101. GENERAL PROVISIONS.**

20 (a) CREATION OF NEW OFFICE AT THE DEPART-
 21 MENT OF EDUCATION.—There is established in the De-
 22 partment of Education, an Office of Sustainable Schools,
 23 which shall—

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

4 (2) in close collaboration with the Department
5 of Energy, the White House Office of Domestic Cli-
6 mate Policy, the Environmental Protection Agency,
7 and the Department of Agriculture, coordinate the
8 activities of those grant programs with—

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

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

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

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

19 (2) a values statement document, which shall be
20 developed after a community-engaged planning proc-
21 ess, with representation from educators, principals,
22 administrators, students, parents, school boards,
23 caregivers, Indian Tribes (where applicable), and
24 community organizations that have documented ex-

1 perience as local providers and partners, and which
2 shall include—

3 (A) an outline of the applicant’s goals to
4 address environmental, economic, and edu-
5 cational equity in the projects and activities
6 supported by the grant funds;

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

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

12 (i) filled by individuals hired through
13 a local community-based hiring process, in
14 a matter that contributes to the stated eq-
15 uity goals, especially individuals who reside
16 in the same catchment area as students at-
17 tending the school in which those individ-
18 uals will work, or individuals who pre-
19 viously attended the school in which those
20 individuals will work; or

21 (ii) filled by individuals who reside in
22 a zip code served by the local educational
23 agency receiving the grant or in a neigh-
24 boring zip code;

1 (D) as applicable, a commitment to local
2 hiring from businesses, nonprofit organizations,
3 and cooperatives (including worker coopera-
4 tives) in a manner that contributes to the stat-
5 ed equity goals, advances the economic and so-
6 cial empowerment of traditionally disadvan-
7 taged individuals and communities (including
8 low-income and low-wealth individuals and com-
9 munities), and creates opportunities for—

10 (i) people of color;

11 (ii) immigrants, regardless of immi-
12 grant status;

13 (iii) formerly incarcerated individuals;

14 (iv) women;

15 (v) LGBTQIAP+ individuals;

16 (vi) individuals with disabilities or
17 chronic illness;

18 (vii) young or elderly individuals;

19 (viii) young adults exiting the foster
20 care system; and

21 (ix) unhoused individuals; and

22 (E) a plan to ensure the greatest prac-
23 ticable number of training opportunities within
24 schools benefitting from grant funds under this
25 Act.

1 (c) DOCUMENTATION.—

2 (1) IN GENERAL.—Each recipient of a grant
3 under this title shall document the recipient’s
4 progress toward meeting the resource allocation plan
5 goals over the course of the grant period on a public
6 digitized platform, which may be an existing public
7 dashboard, data center, or information hub of a pub-
8 lic website.

9 (2) REQUIREMENTS.—A grant recipient shall
10 establish and maintain a public digitized platform
11 for the purposes described in this subsection if one
12 has not already been established on the date of the
13 grant award.

14 (3) ACCESSIBLE DATA.—Each recipient of a
15 grant under this title shall ensure that data de-
16 scribed in this subsection and presented on the pub-
17 lic digitized platform is accessible to individuals in
18 multiple languages (as applicable to the relevant
19 community), accessible to individuals with different
20 literacy levels, accessible to those with sensory defi-
21 cits, and standardized.

22 (d) BUREAU OF INDIAN EDUCATION.—

23 (1) IN GENERAL.—The Secretary of Education
24 and the Secretary of Energy, as applicable, in con-
25 junction with the Secretary of the Interior, shall re-

1 serve a sufficient amount of grant funding and addi-
2 tional administrative expenses, for each grant pro-
3 gram authorized under this title, for the Bureau of
4 Indian Education to fully carry out the applicable
5 grant activities at all BIE schools and schools fund-
6 ed by BIE, which shall include providing any nec-
7 essary technical assistance to assist a BIE school or
8 school funded by BIE in creating a resource alloca-
9 tion plan or meeting other grant requirements in col-
10 laboration with the applicable Indian Tribe and com-
11 munity members.

12 (2) ENSURING SOVEREIGNTY AND SELF-DETER-
13 MINATION.—The Secretary of Education, the Sec-
14 retary of Energy, and the Secretary of the Interior
15 shall ensure that the administration of funds re-
16 served under paragraph (1) and provision of tech-
17 nical assistance under paragraph (1) is carried out
18 in accordance with principles of Indian Tribal sov-
19 ereignty and self-determination.

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

21 (a) DEFINITIONS.—In this section:

22 (1) HEALTHY GREEN RETROFIT.—The term
23 “healthy green retrofit”, with respect to a facility,
24 means the holistic modification of the entire facility
25 to remove health harms, eliminate greenhouse gas

1 emissions, and ensure a safe, accessible, and com-
2 fortable environment, including through measures
3 that achieve or convert the facility to address the
4 following goals:

5 (A) Optimal air quality.

6 (B) Detoxification of air, water, and mate-
7 rials.

8 (C) Enhanced light quality.

9 (D) Improved energy efficiency.

10 (E) Improved water quality and efficiency.

11 (F) Safe and effective wastewater treat-
12 ment.

13 (G) Electrification and decarbonization.

14 (H) Optimized energy management.

15 (I) Distributed renewable energy.

16 (J) Structural integrity.

17 (K) Resilience to the impacts of climate
18 change and natural hazards.

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

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

24 (A) with highly energy-efficient facilities
25 that produce onsite, or procure, sufficient car-

1 bon-free and pollution-free renewable energy to
2 meet the total annual energy consumption of
3 the public school, BIE school, or school funded
4 by BIE;

5 (B) that does not contain any asbestos,
6 mold, fungus, lead, polychlorinated biphenyl
7 (PCB), or other contaminant identified as high-
8 priority by the Office of Sustainable Schools;

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

11 (D) the food service facilities of which use
12 all-electric systems that include contemporary
13 induction burners and convection stoves;

14 (E) that has installed onsite renewable en-
15 ergy, including solar photovoltaic systems, bat-
16 teries, flywheels, compressed air systems,
17 pumped hydroelectric systems, thermal energy
18 storage systems, and any other technologies
19 that provide distributed renewable energy gen-
20 eration, energy storage, and resilience to ex-
21 treme weather events, whenever conditions per-
22 mit;

23 (F) that continuously provides clean air,
24 clean water, and a comfortable learning and

1 working environment, including with respect to
2 temperature;

3 (G) that integrates natural and mechanical
4 systems for natural daylight, views to the out-
5 doors, and operable windows;

6 (H) that provides full accessibility in com-
7 pliance with—

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

10 (ii) applicable provisions of section
11 504 of the Rehabilitation Act of 1973 (29
12 U.S.C. 794); and

13 (I) that is designed to promote a safe, in-
14 clusive, and welcoming environment for all stu-
15 dents and staff.

16 (3) NATIONAL LABORATORY.—The term “Na-
17 tional Laboratory” has the meaning given the term
18 in section 2 of the Energy Policy Act of 2005 (42
19 U.S.C. 15801).

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

22 (A) a public elementary school; and

23 (B) a public secondary school.

24 (5) SECRETARY.—The term “Secretary” means
25 the Secretary of Energy, acting through the Assist-

1 ant Secretary for Energy Efficiency and Renewable
2 Energy.

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

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

11 (2) to construct new, healthy zero-carbon
12 schools, subject to the condition that each new,
13 healthy zero-carbon school so constructed shall be lo-
14 cated not less than 2,500 feet from any oil or gas
15 wells in the vicinity of the healthy zero-carbon
16 school.

17 (c) APPLICATION.—

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

23 (2) TECHNICAL ASSISTANCE.—On request of an
24 eligible entity applying for a grant under this sec-
25 tion, the Secretary shall provide to the eligible entity

1 technical assistance to develop the resource allocation
2 plan required under section 101(b).

3 (3) APPROVAL.—The Secretary shall approve
4 each application that meets the requirements of this
5 section. In the case of an application that does not
6 meet such requirements, the Secretary shall consult
7 with the eligible entity and shall provide technical
8 assistance, as necessary, to ensure that the eligible
9 entity meets such requirements.

10 (d) DESCRIPTION OF ELIGIBLE ENTITIES.—

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

14 (A) A public school.

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

17 (C) A BIE school.

18 (D) A school funded by BIE.

19 (2) LIMITATION.—During the 4-year period be-
20 ginning on the date of establishment of the grant
21 program under subsection (b), only an eligible entity
22 described in paragraph (1) that is a public school
23 ranked as one of the 1/3 most vulnerable schools in
24 the United States, based on the vulnerability rank-
25 ing, a local educational agency applying on behalf of

1 such a school, or any BIE school or school funded
2 by BIE, shall be eligible to receive a grant under
3 this section.

4 (e) ALLOCATION OF GRANT FUNDS.—

5 (1) IN GENERAL.—Subject to paragraph (2),
6 the Secretary shall provide to each eligible entity
7 that submits an application approved by the Sec-
8 retary under subsection (c)(3) a grant in accordance
9 with this section.

10 (2) ALLOCATION.—

11 (A) IN GENERAL.—The Secretary shall al-
12 locate grant funds to eligible entities described
13 in paragraph (1) in accordance with the for-
14 mula established under paragraph (3), subject
15 to the conditions described in subparagraph
16 (B).

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

22 (i) The amount of a grant provided
23 under this section to an eligible entity that
24 uses such amount to serve a public school
25 ranked as one of the 1/3 most vulnerable

1 schools in the United States, based on the
2 vulnerability ranking, a local educational
3 agency applying on behalf of such a school,
4 or any BIE school or school funded by
5 BIE, shall be sufficient to cover 100 per-
6 cent of cost of carrying out a project de-
7 scribed in subsection (b)(1).

8 (ii) The amount of a grant provided
9 under this section to an eligible entity that
10 uses such amount to serve a public school
11 ranked as one of middle 1/3 of schools in
12 the United States, based on the vulner-
13 ability ranking, or a local educational
14 agency applying on behalf of such a school,
15 shall be sufficient to cover $\frac{2}{3}$ of the cost
16 of carrying out a project described in sub-
17 section (b)(1).

18 (iii) The amount of a grant provided
19 under this section to an eligible entity that
20 uses such amount to serve a public school
21 ranked as one of the 1/3 least vulnerable
22 schools in the United States, based on the
23 vulnerability ranking, or a local edu-
24 cational agency applying on behalf of such
25 a school, shall be sufficient to cover $\frac{1}{3}$ of

1 the cost of carrying out a project described
2 in subsection (b)(1).

3 (C) LOANS.—

4 (i) IN GENERAL.—An eligible entity
5 described in clause (ii) or (iii) of subpara-
6 graph (B) may submit to the Secretary an
7 application for a no-interest or low-interest
8 loan to cover any remaining costs of car-
9 rying out a project described in subsection
10 (b)(1).

11 (ii) LIMITATION.—The total amount
12 of loans provided by the Secretary under
13 clause (i) shall be not more than
14 \$446,000,000,000.

15 (3) FUNDING FORMULA.—

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

21 (B) REVISIONS.—After each subsequent
22 audit is conducted under subsection (h)(1)(B),
23 the Secretary shall revise the formula estab-
24 lished under subparagraph (A), based on the re-
25 sults of that audit.

1 (f) USE OF GRANT FUNDS.—

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

4 (A) to conduct healthy green retrofits to
5 convert 1 or more facilities to a healthy zero-
6 carbon school as soon as practicable after re-
7 ceiving the grant funds; or

8 (B) to construct a new, healthy zero-car-
9 bon school.

10 (2) ACTIVITIES TO SUPPORT SCHOOL SAFETY,
11 SECURITY, AND A WELCOMING SCHOOL ENVIRON-
12 MENT.—

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

16 (i) consider and seek to incorporate,
17 to the greatest extent practicable, design
18 and construction strategies to promote
19 safety and security, support accessibility,
20 prevent violence, promote a sense of be-
21 longing, improve student mental health
22 and physical well-being, and foster a posi-
23 tive, inclusive, and welcoming school cul-
24 ture and environment, including through

1 evidence-based, trauma-informed physical
 2 updates, such as—

3 (I) access control measures;

4 (II) internal door locks;

5 (III) appropriate lighting, includ-
 6 ing natural daylight;

7 (IV) noise, temperature, and odor
 8 control;

9 (V) spaces for storytelling, col-
 10 laboration, connection, play, and
 11 movement;

12 (VI) student-curated displays;

13 (VII) clear wayfinding;

14 (VIII) design principles to facili-
 15 tate high-quality emergency response
 16 or planning; and

17 (IX) other design and construc-
 18 tion measures; and

19 (ii) engage students, parents, edu-
 20 cators, and school staff early in the design
 21 process.

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

24 (i) for measures that subject students
 25 to potential penalties imposed by law en-

1 forcement, unduly surveil students, or oth-
2 erwise detract from a positive, inclusive,
3 and welcoming school culture and environ-
4 ment; and

5 (ii) for measures that would reduce
6 the accessibility of the school environment
7 for children with disabilities.

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

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

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

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

8 (i) to achieve—

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

11 or

12 (II) an Energy Star score of 90;

13 and

14 (ii) to offset not less than 30 percent
15 of energy consumption with onsite renew-
16 able energy.

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

19 (i) to achieve—

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

22 or

23 (II) an Energy Star score of 70;

24 and

1 (ii) to offset not less than 20 percent
2 of energy consumption with onsite renew-
3 able energy.

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

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

13 (B) the document of the National Renew-
14 able Energy Laboratory entitled “A Guide to
15 Zero Energy and Zero Energy Ready K-12
16 Schools”.

17 (g) MEASUREMENTS AND ASSESSMENTS.—

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

24 (A) before and after the project; and

1 (B) based on standards agreed to by the
2 eligible entity and the Secretary.

3 (2) PUBLICATION.—The Secretary shall make
4 all data submitted under paragraph (1) relating to
5 performance changes publicly available to enable
6 subsequent healthy green retrofit project sponsors to
7 learn from, and improve on, the processes and tech-
8 nologies used.

9 (h) COMPREHENSIVE AUDITS OF HEALTHY GREEN
10 RETROFIT NEEDS.—

11 (1) AUDITS.—

12 (A) INITIAL AUDIT.—Not later than 180
13 days after the date on which the Office of Sus-
14 tainable Schools is established under section
15 101(a), the Secretary, working jointly with the
16 head of the Office of Sustainable Schools, shall
17 complete an audit of a representative sample of
18 public schools, BIE schools, and schools funded
19 by BIE across the United States to identify
20 healthy green retrofit needs.

21 (B) SUBSEQUENT AUDITS.—After the ini-
22 tial audit is completed under subparagraph (A),
23 the Secretary, working jointly with the head of
24 the Office of Sustainable Schools, periodically
25 shall complete an audit of all public schools,

1 BIE schools, and schools funded by BIE across
2 the United States to identify healthy green ret-
3 rofit needs.

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

6 (A) local climatic conditions;

7 (B) regional variation;

8 (C) the high capital needs of public schools
9 served by local educational agencies that enroll
10 a high percentage of low-income children, BIE
11 schools, and schools funded by BIE;

12 (D) regional labor costs and labor markets;

13 and

14 (E) other necessary criteria, as determined
15 by the Secretary.

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

20 (1) the National Laboratories, particularly the
21 National Renewable Energy Laboratory;

22 (2) the Environmental Protection Agency; and

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

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

6 (k) LABOR STANDARDS.—

7 (1) LABOR AND BUY AMERICAN PROVISIONS.—

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

11 (i) Ensure that the materials used by
12 the contractor or subcontractor are sub-
13 stantially manufactured, mined, and pro-
14 duced in the United States in accordance
15 with chapter 83 of title 41, United States
16 Code (commonly known as the “Buy
17 American Act”).

18 (ii) Ensure that all laborers and me-
19 chanics employed by the contractor or sub-
20 contractor in the performance of construc-
21 tion, alteration, repair, or maintenance
22 work financed in whole or in part with as-
23 sistance under this section shall be paid
24 wages at rates not less than those pre-
25 vailing on similar construction in the local-

1 ity, as determined by the Secretary of
2 Labor, in accordance with subchapter IV
3 of chapter 31 of title 40, United States
4 Code (commonly known as the “Davis-
5 Bacon Act”). With respect to the labor
6 standards in this clause, the Secretary of
7 Labor shall have the authority and func-
8 tions set forth in Reorganization Plan
9 Numbered 14 of 1950 (64 Stat. 1267; 5
10 U.S.C. App.) and section 3145 of title 40,
11 United States Code.

12 (iii) With respect to a project or set of
13 projects located in the same local edu-
14 cational agency costing not less than
15 \$25,000,000, consent to a project labor
16 agreement.

17 (iv) Not hire employees through a
18 temporary staffing agency unless the rel-
19 evant State workforce agency certifies that
20 temporary employees are necessary to ad-
21 dress an acute, short-term labor demand.

22 (v) Have an explicit neutrality policy
23 on any issue involving the organization of
24 employees of the contractor or subcon-
25 tractor, and all contractors and sub-

1 contractors, for purposes of collective bar-
2 gaining.

3 (vi) For each project related to a
4 healthy green retrofit or new construction
5 of a school, demonstrate an ability to use
6 and to commit to use individuals enrolled
7 in a registered apprenticeship program who
8 shall, to the greatest extent practicable,
9 constitute not less than 20 percent of the
10 individuals working on the project.

11 (vii) To the greatest extent prac-
12 ticable, provide preferential treatment in
13 hiring laborers and mechanics that are—

14 (I) hired from within 50 miles of
15 their official residence;

16 (II) veterans or active or retired
17 military;

18 (III) highly skilled union work-
19 ers; or

20 (IV) returning citizens who were
21 formerly incarcerated individuals.

22 (viii) Not require mandatory arbitra-
23 tion for any dispute involving a worker en-
24 gaged in a service for the contractor or
25 subcontractor.

1 (ix) Consider an individual performing
2 any service under the grant as an em-
3 ployee, and not an independent contractor,
4 of the contractor or subcontractor, respec-
5 tively, unless—

6 (I) the individual is free from
7 control and direction in connection
8 with the performance of the service,
9 both under the contract for the per-
10 formance of the service and in fact;

11 (II) the service is performed out-
12 side the usual course of the business
13 of the contractor or subcontractor, re-
14 spectively; and

15 (III) the individual is customarily
16 engaged in an independently estab-
17 lished trade, occupation, profession, or
18 business of the same nature as that
19 involved in such service.

20 (B) ACTION TO ENFORCE INDEPENDENT
21 CONTRACTOR REQUIREMENT.—A third party,
22 including a State or local government, may
23 bring an action in any court of competent juris-
24 diction to enforce the requirements of subpara-
25 graph (A)(ix).

1 (2) PRE-APPRENTICESHIP.—To the greatest ex-
 2 tent practicable, in carrying out a project funded by
 3 a grant under this section, grant recipients shall give
 4 preference to contractors or subcontractors that par-
 5 ticipate in pre-apprenticeship programs that have
 6 written agreements with one or more registered ap-
 7 prenticeship programs.

8 (1) AUTHORIZATION OF APPROPRIATIONS; MANDA-
 9 TORY APPROPRIATIONS.—Out of funds in the Treasury
 10 not otherwise appropriated, there are authorized to be ap-
 11 propriated, and there are appropriated to carry out this
 12 section for the 10-fiscal-year period following the date of
 13 enactment of this Act —

14 (1) \$446,000,000,000 to the Secretary to carry
 15 out grants authorized under subsection (b); and

16 (2) such sums as are necessary to the Secretary
 17 for administrative expenses and the provision of
 18 technical assistance in carrying out this section.

19 **SEC. 103. RESOURCE BLOCK GRANTS.**

20 (a) PROGRAM ESTABLISHED.—

21 (1) IN GENERAL.—The Secretary shall award a
 22 grant to each qualified local educational agency with
 23 an approved application to enable the qualified local
 24 educational agency to bring additional eligible edu-
 25 cators and support staff into elementary schools and

1 secondary schools and establish community partner-
2 ships, and carry out other activities described in this
3 section, with the goals of—

4 (A) expanding social service programming;

5 (B) developing locally designed and rooted
6 educational programs;

7 (C) developing and implementing trauma-
8 informed violence prevention strategies;

9 (D) promoting safe, secure, and welcoming
10 school and community environments;

11 (E) strengthening the educator pipeline;

12 (F) diversifying the workforce;

13 (G) better integrating knowledge of the
14 local community into schools; and

15 (H) providing support, training, and career
16 pathways for paraprofessionals.

17 (2) CONSULTATION AND INTEGRATION.—

18 (A) CONSULTATION BY THE SECRETARY.—

19 The Secretary shall consult with States and In-
20 dian Tribes, as appropriate, in administering
21 the grant program under this section. During
22 such consultation, the Secretary shall strongly
23 encourage the States to integrate the locally de-
24 signed and rooted educational programs, devel-
25 oped under paragraph (1) (as applicable), into

1 State educational plans and activities, and to
2 support, replicate, and disseminate such edu-
3 cational programs, as appropriate.

4 (B) CONSULTATION BY LEAS.—A local
5 educational agency that receives a grant under
6 this section shall consult with the Secretary, the
7 State educational agency, and Indian Tribes (as
8 applicable) in implementing such grant.

9 (3) ADDITIONAL LOCAL EDUCATIONAL AGEN-
10 CIES.—Notwithstanding paragraph (1), if funding
11 under this section remains after the Secretary has
12 awarded grants to each qualified local educational
13 agency that submits an application under this sec-
14 tion, in amounts that are sufficient to meet the
15 needs of those agencies, the Secretary shall award
16 grants under this section to other local educational
17 agencies that are not qualified local educational
18 agencies, in accordance with the priority require-
19 ments described in subsection (b)(3).

20 (b) APPLICATION.—

21 (1) IN GENERAL.—A local educational agency
22 desiring a grant under this section shall submit an
23 application to the Secretary, at such time, in such
24 manner, and containing such information as the Sec-

1 retary may reasonably require, which shall include
2 the following:

3 (A) The resource allocation plan described
4 in section 101.

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

9 (i) reside in the same catchment area
10 as students attending the school in which
11 those eligible educators and support staff
12 will work, or who previously attended the
13 school in which the educators and staff will
14 work; or

15 (ii) reside in the same zip code, or a
16 neighboring zip code, as the school in
17 which the educators and staff will work.

18 (C) An assurance that after the 10-year
19 period during which grant funds will pay for
20 the eligible educator and support staff positions
21 described in this section, the local educational
22 agency will—

23 (i) retain those positions, and a de-
24 scription of the local educational agency's

1 plan to fund those positions after such pe-
2 riod; and

3 (ii) attempt to maintain and continue
4 to fund community partnerships supported
5 by such grant, to the extent that the other
6 entities in those partnerships desire to con-
7 tinue the activities supported with grant
8 funds.

9 (D) A description of the local educational
10 agency's plan to—

11 (i) aim to meet target student-to-staff
12 ratios of 12:1 for students in kindergarten
13 through grade 8, and 15:1 for students in
14 grades 9 through 12 (where staff is de-
15 fined broadly to refer to any adult profes-
16 sional employed in the school whose work
17 directly relates to education, including the
18 eligible educators and support staff de-
19 scribed in this section);

20 (ii) aim to place a lead teacher and
21 paraprofessional in all prekindergarten
22 through grade 3 classes;

23 (iii) aim to hire at least 1 full-time
24 equivalent school psychologist for every
25 500 students, at least 1 full-time equiva-

1 lent school counselor for every 250 stu-
2 dents, and at least 1 full-time equivalent
3 school social worker for every 250 students
4 served by the agency; and

5 (iv) where applicable, aim to shift spe-
6 cial educators from a caseload model to a
7 workload analysis model to ensure suffi-
8 cient capacity and time to support stu-
9 dents.

10 (E) A description of the local educational
11 agency's plan—

12 (i) to progress toward ending the
13 school-to-prison pipeline and zero tolerance
14 discipline, including by reducing suspen-
15 sions, expulsions, and referrals to law en-
16 forcement;

17 (ii) for progressing toward reallo-
18 cating resources spent on punishment to
19 restorative justice practices; and

20 (iii) to progress toward ending the use
21 of seclusion, restraint, and corporal pun-
22 ishment.

23 (2) APPROVAL.—

1 (A) IN GENERAL.—The Secretary shall ap-
2 prove each application that meets the require-
3 ments of this section.

4 (B) CONSULTATION AND TECHNICAL AS-
5 SISTANCE.—In the case of an application that
6 does not meet the requirements of this section,
7 the Secretary shall—

8 (i) consult with the local educational
9 agency and shall provide technical assist-
10 ance, as necessary, to ensure that the local
11 educational agency meets such require-
12 ments; and

13 (ii) review and approve revised appli-
14 cations that meet such requirements.

15 (3) PRIORITY.—If the Secretary awards grants
16 under this section to local educational agencies that
17 are not qualified local educational agencies, in ac-
18 cordance with subsection (a)(3), the Secretary shall
19 give priority to local educational agencies that meet
20 one of the following criteria:

21 (A) Serving a percentage that is higher
22 than the State median of students who are
23 counted under section 1113(a)(5)(A) of the Ele-
24 mentary and Secondary Education Act of 1965
25 (20 U.S.C. 6313(a)(5)(A)).

1 (B) Serving a percentage that is higher
2 than the State median of students who are chil-
3 dren with a disability.

4 (C) Serving a percentage that is higher
5 than the State median of students who are
6 English learners.

7 (D) Serving schools that have a per-pupil
8 expenditure that is lower than the State median
9 per-pupil expenditure.

10 (c) QUALIFIED LOCAL EDUCATIONAL AGENCY.—In
11 this section, the term “qualified local educational agency”
12 means—

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

17 (2) a local educational agency that serves ele-
18 mentary schools or secondary schools that are in the
19 bottom 1/3 of all schools in the State when ranked
20 by student-to-staff ratios from lowest to highest ra-
21 tios based on the most recent data from the Na-
22 tional Center for Education Statistics; or

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

24 (d) USES OF FUNDS.—

1 (1) SUPPORT FOR ELIGIBLE EDUCATORS AND
2 SUPPORT STAFF.—

3 (A) IN GENERAL.—A local educational
4 agency receiving a grant under this section
5 shall use not less than 80 percent of grant
6 funds—

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

11 (ii) to increase the salaries of para-
12 professionals and promote paraprofes-
13 sionals who meet the requirements for pro-
14 motion; and

15 (iii) to provide or facilitate access for
16 paraprofessionals to affordable training by
17 establishing partnerships with community
18 colleges and local institutions of higher
19 education, establishing tuition reimburse-
20 ment programs, or offering similar initia-
21 tives for training.

22 (B) ELIGIBLE EDUCATORS AND SUPPORT
23 STAFF.—The eligible educators and support
24 staff described in this subparagraph are—

25 (i) paraprofessionals;

- 1 (ii) mental health professionals, in-
2 cluding psychologists, therapists, and social
3 workers;
4 (iii) school counselors;
5 (iv) librarians;
6 (v) nurses;
7 (vi) restorative justice specialists;
8 (vii) community school site coordina-
9 tors;
10 (viii) teachers, including special edu-
11 cation teachers;
12 (ix) coordinators for culturally respon-
13 sive education;
14 (x) facilities and food service workers;
15 (xi) learning specialists, including
16 mathematics and reading specialists;
17 (xii) English as a Second Language
18 instructors;
19 (xiii) Native language and cultural
20 specialists; and
21 (xiv) staff to support other social serv-
22 ices programming.

23 (2) COMMUNITY PARTNERSHIPS, EDUCATIONAL
24 PROGRAMMING, AND SOCIAL SERVICE PROGRAM-
25 MING.—

1 (A) IN GENERAL.—In addition to carrying
2 out the activities described in paragraph (1), a
3 local educational agency receiving a grant under
4 this section shall use not less than 2.5 percent
5 and not more than 20 percent of such funds for
6 community partnerships, educational program-
7 ming, social service programming, and violence
8 prevention and school safety initiatives, which
9 shall include one or more of the following:

10 (i) Development of place-based and
11 experiential education and community-driv-
12 en educational programs, with a focus on
13 educational programs that affirm and ex-
14 plore the underlying principles of the
15 Green New Deal, including the significance
16 of and the connections between racial, eco-
17 nomic, and environmental and climate jus-
18 tice, and that are responsive to the impacts
19 of climate change and socioeconomic injus-
20 tice on youth mental health.

21 (ii) Programs and spaces that engage
22 students in hands-on, project-based learn-
23 ing across science, technology, engineering,
24 arts, and mathematics instruction, as well
25 as humanities instruction, in the scientific,

1 technical, design, and social aspects of
2 healthy green retrofits funded by the cli-
3 mate capital facilities grants under section
4 102, as well as of any other uses of those
5 grants.

6 (iii) Spaces and programming to ad-
7 vance vocational and career and technical
8 education, including project-based learning
9 opportunities and advancing such edu-
10 cation in partnership with career and tech-
11 nical education schools, community col-
12 leges, local institutions of higher education,
13 community organizations, and pre-appren-
14 ticeship programs, to prepare students for
15 a wide range of careers related to address-
16 ing climate change.

17 (iv) Programming to support extra-
18 curricular, co-curricular, and community-
19 based activities such as arts, music, recre-
20 ation, organized sports, honor societies, 4-
21 H clubs, foreign and Native languages, col-
22 lege access centers, civic engagement clubs
23 and activities, clubs and activities to sup-
24 port movement and connectedness to na-
25 ture, early child care centers, and after-

1 school and summer education program-
2 ming.

3 (v) Creating or supporting a school-
4 based youth peer support program.

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

10 (vii) Training and professional devel-
11 opment to advance trauma-informed, heal-
12 ing-centered learning models and practices,
13 centering on the whole child and the child's
14 cognitive, emotional, and social needs, in-
15 clusive of culturally responsive pedagogy.

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

1 educational agency in partnership with a
2 nonprofit organization.

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

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

8 (xi) Anti-racist and anti-hate edu-
9 cational programming.

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

15 (xiii) Developing and implementing
16 evidence-based practices to support school
17 safety that do not rely on the criminal jus-
18 tice system.

19 (xiv) Developing and implementing
20 evidence-based, inclusive, and trauma-in-
21 formed practices to prevent violence and
22 improve school climate and culture, includ-
23 ing schoolwide positive behavioral interven-
24 tions and supports, restorative justice pro-
25 grams and interventions, social and emo-

1 tional learning programs, community-inte-
2 grated violence prevention programming,
3 and programs to ensure students have ac-
4 cess to one-on-one relationships with men-
5 tors or other caring adults.

6 (xv) Improving school capacity to
7 identify, refer, and provide services to stu-
8 dents and families in need of trauma sup-
9 port services or other social services, in-
10 cluding with the appropriate technology
11 and spaces to do so.

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

19 (xvii) Increased parent and student
20 engagement in learning.

21 (xviii) Increased availability of trans-
22 lation to create accessible learning environ-
23 ments for English learners.

24 (3) REQUIREMENT.—A local educational agency
25 receiving a grant under this section shall ensure that

1 if such agency contracts with a third-party to carry
2 out activities under this subsection, such third-
3 party—

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

8 (B) is located in a zip code served by the
9 local educational agency receiving the grant or
10 in a neighboring zip code.

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

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

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

23 (e) WAGE AND LABOR ORGANIZATION REQUIRE-
24 MENTS.—Each local educational agency that receives
25 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; MANDA-
19 TORY APPROPRIATIONS.—Out of funds in the Treasury
20 not otherwise appropriated, there are authorized to be ap-
21 propriated, and there are appropriated for the 10-fiscal-
22 year period following the date of enactment of this Act
23 —

24 (1) \$250,000,000,000 to the Secretary to pro-
25 vide grants under this section; and

1 (2) sums as are necessary to the Secretary for
2 the administrative expenses and provision of tech-
3 nical assistance in carrying out this section.

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

5 (a) PROGRAM ESTABLISHED.—

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

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

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

24 (b) ELIGIBLE CONSORTIUM.—In this section, the
25 term “eligible consortium” means 2 or more local edu-

1 cational agencies that are located within the same metro-
2 politan or micropolitan statistical area and that have
3 formed a regional consortium.

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

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

21 (e) REGIONAL EDUCATION EQUITY PLAN.—

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

1 section shall use such data and the results of such
2 outreach to develop a 5-year regional education eq-
3 uity plan. The regional education equity plan shall—

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

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

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

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

24 (f) APPLICATION; EQUITY PLAN.—

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

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

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

22 (1) distribute such grant funds to elementary
23 schools and secondary schools that are served by
24 local educational agencies in the eligible consortium

1 in accordance with the regional education equity
2 plan; and

3 (2) may use grant funds for resource sharing
4 and the centralization of administration, planning,
5 and procurement among the local educational agen-
6 cies in the consortium, with the aim of ensuring an
7 equitable distribution of funding and staffing and
8 equitable access to high-quality educational opportu-
9 nities for students, including students who are chil-
10 dren with disabilities and low-income students.

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

16 (i) AUTHORIZATION OF APPROPRIATIONS; MANDA-
17 TORY APPROPRIATIONS.—Out of funds in the Treasury
18 not otherwise appropriated, there are authorized to be ap-
19 propriated, and there are appropriated for the 10-fiscal-
20 year period following the date of enactment of this Act—

21 (1) \$100,000,000 to the Secretary to carry out
22 this section; and

23 (2) sums as are necessary the Secretary for the
24 administrative expenses and provision of technical
25 assistance in carrying out this section.

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

2 Out of funds in the Treasury not otherwise appro-
 3 priated, there are appropriated to carry out part B of the
 4 Individuals with Disabilities in Education Act (20 U.S.C.
 5 1411 et seq.), \$44,000,000,000 for each of the 10 fiscal
 6 years following the date of enactment of this Act.

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

9 Out of funds in the Treasury not otherwise appro-
 10 priated, there are appropriated to carry out part A of title
 11 I of the Elementary and Secondary Education Act of 1965
 12 (20 U.S.C. 6311 et seq.), \$74,000,000,000 for each of the
 13 10 fiscal years following 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 geted 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; MANDA-**
23 **TORY APPROPRIATIONS.**

24 (a) IN GENERAL.—Out of funds in the Treasury not
25 otherwise appropriated, there are authorized to be appro-

1 priated, and there are appropriated for each of fiscal years
2 2024 through 2034, \$4,000,000,000 to the Secretary of
3 Education to carry out this title.

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

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