

119TH CONGRESS
2D SESSION

S. _____

To establish a Green New Deal for public schools.

IN THE SENATE OF THE UNITED STATES

Mr. MARKEY introduced the following bill; which was read twice and referred
to the Committee on _____

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”.

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.

Sec. 4. Social Vulnerability Index of the Centers for Disease Control and Pre-
vention.

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

Sec. 101. General provisions.

2

- Sec. 102. Climate capital facilities grants.
- Sec. 103. Resource block grants.
- Sec. 104. Educational equity planning grants.
- Sec. 105. Mandatory funding of the Individuals with Disabilities Education Act.
- 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” mean—

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

8 (B) elementary and secondary schools and
9 dormitories funded by the Bureau of Indian
10 Education and operated pursuant to a grant
11 under the Tribally Controlled Schools Act of
12 1988 (25 U.S.C. 2501 et seq.); and

13 (C) elementary and secondary schools and
14 dormitories funded by the Bureau of Indian
15 Education and operated pursuant to a contract
16 under the Indian Self-Determination and Edu-
17 cation Assistance Act (25 U.S.C. 5301 et seq.).

18 (2) ESEA TERMS.—The terms “child with a
19 disability”, “elementary school”, “English learner”,

1 “paraprofessional”, “secondary school”, “local edu-
2 cational agency”, and “Secretary” have the mean-
3 ings given those terms in section 8101 of the Ele-
4 mentary and Secondary Education Act of 1965 (20
5 U.S.C. 7801).

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

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

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

23 (B) equal access to any Federal agency ac-
24 tion on justice issues related to the environment

1 in order to have a healthy environment in which
2 to live, learn, work, and recreate.

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

8 (6) VULNERABILITY RANKING.—The term “vul-
9 nerability ranking” means the most recent available
10 ranking of each public elementary school and sec-
11 ondary school in the United States based on the So-
12 cial Vulnerability Index of the Centers for Disease
13 Control and Prevention and Agency for Toxic Sub-
14 stances and Disease Registry for the Census tract in
15 which the school is located.

16 **SEC. 4. SOCIAL VULNERABILITY INDEX OF THE CENTERS**
17 **FOR DISEASE CONTROL AND PREVENTION.**

18 (a) IN GENERAL.—Not later than 90 days after the
19 date of enactment of this Act, and not less frequently than
20 once every 2 years thereafter, the Director of the Centers
21 for Disease Control and Prevention shall update the Cen-
22 ters for Disease Control and Prevention and Agency for
23 Toxic Substances and Disease Registry Social Vulner-
24 ability Index (referred to in this Act as the “CDC SVI”)
25 based on the most recent data available from the American

1 Community Survey as administered by the Census Bu-
2 reau. In updating the CDC SVI, the Director of the Cen-
3 ters for Disease Control and Prevention shall use the same
4 methodology as was in effect for the most recent release
5 of the CDC SVI before the date of enactment of this Act.

6 (b) REPORT TO CONGRESS.—The Director of the
7 Centers for Disease Control and Prevention shall, not later
8 than 1 year after the date of enactment of this Act, and
9 every 2 years thereafter, submit to the Committee on
10 Health, Education, Labor, and Pensions of the Senate and
11 the Committee on Energy and Commerce of the House
12 of Representatives a report summarizing the methodology
13 utilized for the CDC SVI and outlining any challenges as-
14 sociated with data collection or reporting.

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 Environmental Protection Agency,
6 and the Department of Agriculture, coordinate the
7 activities of those grant programs with—

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

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

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

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

18 (2) an implementation strategy, which shall be
19 developed after a community-engaged planning proc-
20 ess, with representation from educators, principals,
21 administrators, students, parents, school boards,
22 caregivers, Indian Tribes (where applicable), and
23 community organizations that have documented ex-
24 perience as local providers and partners, and which
25 shall include—

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

5 (B) annual benchmarks to measure the ap-
6 plicant's progress toward meeting those goals;

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

10 (i) filled by individuals hired through
11 an equitable local community-based hiring
12 process, especially individuals who reside in
13 the same catchment area as students at-
14 tending the school in which those individ-
15 uals will work, or individuals who pre-
16 viously attended the school in which those
17 individuals will work; or

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

22 (D) as applicable, a commitment to local
23 hiring from businesses, nonprofit organizations,
24 and cooperatives (including worker coopera-
25 tives) in a manner that contributes to the im-

plementation strategy, advances the economic and social empowerment of traditionally disadvantaged individuals and communities (including low-income and low-wealth individuals and communities), and creates opportunities for—

- (i) people of color;
- (ii) immigrants, regardless of immigrant status;
- (iii) formerly incarcerated individuals;
- (iv) women;
- (v) LGBTQIAP+ individuals;
- (vi) individuals with disabilities or chronic illness;
- (vii) young or elderly individuals;
- (viii) young adults exiting the foster care system; and
- (ix) unhoused individuals; and

(E) a plan to ensure the greatest practicable number of training opportunities within schools benefitting from grant funds under this Act.

(c) DOCUMENTATION.—

(1) IN GENERAL.—Each recipient of a grant under this title shall document the recipient's

1 progress toward meeting the resource allocation plan
2 goals over the course of the grant period on a public
3 digitized platform, which may be an existing public
4 dashboard, data center, or information hub of a pub-
5 lic website.

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

11 (3) ACCESSIBLE DATA.—Each recipient of a
12 grant under this title shall ensure that data de-
13 scribed in this subsection and presented on the pub-
14 lic digitized platform—

15 (A) is accessible to individuals in multiple
16 languages (as applicable to the relevant commu-
17 nity);

18 (B) is accessible to individuals with dif-
19 ferent literacy levels;

20 (C) complies with the most recent Web
21 Content Accessibility Guidelines of the Web Ac-
22 cessibility Initiative, or successor guidelines;
23 and

24 (D) is standardized.

25 (d) BUREAU OF INDIAN EDUCATION.—

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

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

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

24 (a) DEFINITIONS.—In this section:

1 (1) ELIGIBLE ENTITY.—The term “eligible enti-
2 ty” means a—

3 (A) a local educational agency, consortia of
4 local educational agencies, or a State edu-
5 cational agency that is applying on behalf of 1
6 or more public schools ranked as one of the $\frac{1}{3}$
7 most vulnerable schools in the United States,
8 based on the most recent available vulnerability
9 ranking;

10 (B) a BIE school; or

11 (C) a school funded by BIE.

12 (2) HEALTHY GREEN RETROFIT.—The term
13 “healthy green retrofit”, with respect to a facility,
14 means the holistic modification of the entire facility
15 to remove health harms, eliminate greenhouse gas
16 emissions, and ensure a safe, accessible, and com-
17 fortable environment, including through measures
18 that achieve or convert the facility to address the
19 following goals:

20 (A) Optimal air quality.

21 (B) Detoxification of air, water, and mate-
22 rials.

23 (C) Enhanced light quality.

24 (D) Improved energy efficiency.

25 (E) Improved water quality and efficiency.

1 (F) Safe and effective wastewater treat-
2 ment.

3 (G) Electrification and decarbonization.

4 (H) Optimized energy management.

5 (I) Distributed renewable energy.

6 (J) Structural integrity.

7 (K) Resilience to the impacts of climate
8 change and natural hazards.

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

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

14 (A) with highly energy-efficient facilities
15 that produce onsite, or procure, sufficient car-
16 bon-free and pollution-free renewable energy to
17 meet the total annual energy consumption of
18 the public school, BIE school, or school funded
19 by BIE;

20 (B) that does not contain any asbestos,
21 mold, fungus, lead, polychlorinated biphenyl
22 (PCB), or other contaminant identified as high-
23 priority by the Office of Sustainable Schools;

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

1 (D) the food service facilities of which use
2 all-electric systems that include contemporary
3 induction burners and convection stoves;

4 (E) that has installed onsite renewable en-
5 ergy, including solar photovoltaic systems, bat-
6 teries, flywheels, compressed air systems,
7 pumped hydroelectric systems, thermal energy
8 storage systems, and any other technologies
9 that provide distributed renewable energy gen-
10 eration, energy storage, and resilience to ex-
11 treme weather events, whenever conditions per-
12 mit;

13 (F) that continuously provides clean air,
14 clean water, and a comfortable learning and
15 working environment, including with respect to
16 temperature;

17 (G) that integrates natural and mechanical
18 systems for natural daylight, views to the out-
19 doors, and operable windows;

20 (H) that provides full accessibility in com-
21 pliance with—

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

1 (ii) applicable provisions of section
2 504 of the Rehabilitation Act of 1973 (29
3 U.S.C. 794); and

4 (I) that is designed to promote a safe, in-
5 clusive, and welcoming environment for all stu-
6 dents and staff.

7 (4) NATIONAL LABORATORY.—The term “Na-
8 tional Laboratory” has the meaning given the term
9 in section 2 of the Energy Policy Act of 2005 (42
10 U.S.C. 15801).

11 (5) PUBLIC SCHOOL.—The term “public
12 school” means—

13 (A) a public elementary school; and

14 (B) a public secondary school.

15 (6) SECRETARY.—The term “Secretary” means
16 the Secretary of Energy, acting through the Assist-
17 ant Secretary for Energy Efficiency and Renewable
18 Energy.

19 (b) ESTABLISHMENT.—Not later than 180 days after
20 the date of enactment of this Act, the Secretary, in coordi-
21 nation with the Secretary of Education, shall establish
22 program under which the Secretary shall provide grants
23 to eligible entities—

24 (1) to conduct healthy green retrofits at facili-
25 ties of the eligible entities to convert existing public

1 schools, BIE schools, or schools funded by BIE into
2 healthy zero-carbon schools; and

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

9 (c) APPLICATION.—

10 (1) IN GENERAL.—An eligible entity desiring a
11 grant under subsection (b) shall submit an applica-
12 tion to the Secretary at such time, in such manner,
13 and containing such information as the Secretary
14 may reasonably require, including a resource alloca-
15 tion plan described in section 101(b).

16 (2) GRANTEE SUPPORT.—

17 (A) OUTREACH.—The Secretary, in coordi-
18 nation with the Secretary of Education and the
19 Secretary of the Interior, shall conduct an out-
20 reach campaign not later than 3 months prior
21 to the end of a grant competition under this
22 section that—

23 (i) notifies all State educational agen-
24 cies, local educational agencies, public
25 schools, BIE schools, and schools funded

1 by BIE that meet applicable criteria for
2 eligibility to apply for a grant under this
3 section; and

4 (ii) increases public awareness
5 amongst students, parents, families, teach-
6 ers, principals, other school leaders, facili-
7 ties staff, and experts in healthy green ret-
8 rofits about such grant competition.

9 (3) TECHNICAL ASSISTANCE.—On request of an
10 eligible entity applying for a grant under this sec-
11 tion, the Secretary of Education shall provide to the
12 eligible entity technical assistance to develop the re-
13 source allocation plan required under section 101(b).

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

21 (d) ALLOCATION OF GRANT FUNDS.—

22 (1) IN GENERAL.—Subject to paragraph (2),
23 the Secretary shall provide to each eligible entity
24 that submits an application approved by the Sec-

1 retary under subsection (c) a grant in accordance
2 with this section.

3 (2) ALLOCATION.—

4 (A) IN GENERAL.—The Secretary shall al-
5 locate grant funds to eligible entities described
6 in paragraph (1)—

7 (i) in the case of a healthy green ret-
8 rofit project described in subsection (b)(1),
9 in accordance with the formula established
10 under paragraph (3), subject to the condi-
11 tions described in subparagraph (B); and

12 (ii) in the case of a new, healthy zero-
13 carbon schools project described in sub-
14 section (b)(2), in a manner determined by
15 the Secretary of Education.

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

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

1 most recent available vulnerability ranking,
2 a local educational agency applying on be-
3 half of such a school, or any BIE school or
4 school funded by BIE, shall be sufficient to
5 cover 100 percent of cost of carrying out
6 a project described in subsection (b)(1).

7 (ii) The amount of a grant provided
8 under this section to an eligible entity that
9 uses such amount to serve a public school
10 ranked as one of the 1/3 least vulnerable
11 schools in the United States, based on the
12 most recent available vulnerability ranking,
13 or a local educational agency applying on
14 behalf of such a school, shall be sufficient
15 to cover 1/3 of the cost of carrying out a
16 project described in subsection (b)(1).

17 (C) LOANS.—

18 (i) IN GENERAL.—An eligible entity
19 described in clause (ii) of subparagraph
20 (B) may submit to the Secretary an appli-
21 cation for a no-interest or low-interest loan
22 to cover any remaining costs of carrying
23 out a project described in subsection
24 (b)(1).

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

5 (3) FUNDING FORMULA.—

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

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

16 (e) USE OF GRANT FUNDS.—

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

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

23 (B) to construct a new, healthy zero-car-
24 bon school.

1 (2) ACTIVITIES TO SUPPORT SCHOOL SAFETY,
2 SECURITY, AND A WELCOMING SCHOOL ENVIRON-
3 MENT.—

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

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

18 (I) access control measures;

19 (II) internal door locks;

20 (III) appropriate lighting, includ-
21 ing natural daylight;

22 (IV) noise, temperature, and odor
23 control;

1 (V) spaces for storytelling, col-
2 laboration, connection, play, and
3 movement;

4 (VI) student-curated displays;

5 (VII) clear wayfinding;

6 (VIII) design principles to facili-
7 tate high-quality emergency response
8 or planning; and

9 (IX) other design and construc-
10 tion measures; and

11 (ii) engage students, parents, edu-
12 cators, and school staff early in the design
13 process.

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

16 (i) for measures that subject students
17 to potential penalties imposed by law en-
18 forcement, unduly surveil students, or oth-
19 erwise detract from a positive, inclusive,
20 and welcoming school culture and environ-
21 ment; and

22 (ii) for measures that would reduce
23 the accessibility of the school environment
24 for children with disabilities.

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

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

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

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

23

1 (i) to achieve—

2 (I) a site energy use intensity

3 equal to or less than 25 kBtu/sf/year;

4 or

5 (II) an Energy Star score of 90;

6 and

7 (ii) to offset not less than 30 percent

8 of energy consumption with onsite renew-

9 able energy.

10 (B) For a project to modify an existing fa-

11 cility, design and operate the facility—

12 (i) to achieve—

13 (I) a site energy use intensity

14 equal to or less than 35 kBtu/sf/year;

15 or

16 (II) an Energy Star score of 70;

17 and

18 (ii) to offset not less than 20 percent

19 of energy consumption with onsite renew-

20 able energy.

21 (6) ADDITIONAL STANDARDS.—In carrying out

22 a project using a grant provided under this section,

23 an eligible entity shall adhere to the applicable guid-

24 ance contained in—

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

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

10 (f) MEASUREMENTS AND ASSESSMENTS.—

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

17 (A) before and after the project; and

18 (B) based on standards agreed to by the
19 eligible entity and the Secretary.

20 (2) PUBLICATION.—The Secretary shall make
21 all data submitted under paragraph (1) relating to
22 performance changes publicly available to enable
23 subsequent healthy green retrofit project sponsors to
24 learn from, and improve on, the processes and tech-
25 nologies used (except that such data shall not be re-

1 quired to be publicly available in the case of a school
2 funded by the BIE).

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

5 (1) AUDITS.—

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

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

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

1 (A) local climatic conditions and risk of
2 natural disasters;

3 (B) regional variation of energy costs;

4 (C) the high capital needs of public schools
5 served by local educational agencies that enroll
6 a high percentage of low-income children, BIE
7 schools, and schools funded by BIE;

8 (D) regional labor costs and labor markets;
9 and

10 (E) other necessary criteria, as determined
11 by the Secretary.

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

16 (1) the National Laboratories, particularly the
17 National Renewable Energy Laboratory;

18 (2) the Environmental Protection Agency; and

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

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

1 (j) LABOR STANDARDS.—

2 (1) LABOR AND BUY AMERICAN PROVISIONS.—

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

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

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

standards in this clause, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

(iii) With respect to a project or set of projects located in the same local educational agency costing not less than \$25,000,000, consent to a project labor agreement.

(iv) Not hire employees through a temporary staffing agency unless the relevant State workforce agency certifies that temporary employees are necessary to address an acute, short-term labor demand.

(v) Have an explicit neutrality policy on any issue involving the organization of employees of the contractor or subcontractor, and all contractors and subcontractors, for purposes of collective bargaining.

(vi) For each project related to a healthy green retrofit or new construction of a school, demonstrate an ability to use

1 and to commit to use individuals enrolled
2 in a registered apprenticeship program who
3 shall, to the greatest extent practicable,
4 constitute not less than 20 percent of the
5 individuals working on the project.

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

9 (I) hired from within 50 miles of
10 their official residence;

11 (II) veterans or active or retired
12 military;

13 (III) highly skilled union work-
14 ers; or

15 (IV) returning citizens who were
16 formerly incarcerated individuals.

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

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

1 (I) the individual is free from
2 control and direction in connection
3 with the performance of the service,
4 both under the contract for the per-
5 formance of the service and in fact;

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

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

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

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

1 written agreements with one or more registered ap-
2 prenticeship programs.

3 (k) AUTHORIZATION OF APPROPRIATIONS; MANDA-
4 TORY APPROPRIATIONS.—Out of funds in the Treasury
5 not otherwise appropriated, there are authorized to be ap-
6 propriated, and there are appropriated to carry out this
7 section for the 10-fiscal-year period following the date of
8 enactment of this Act —

9 (1) \$446,000,000,000 to the Secretary to carry
10 out grants authorized under subsection (b); and

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

14 **SEC. 103. RESOURCE BLOCK GRANTS.**

15 (a) PROGRAM ESTABLISHED.—

16 (1) IN GENERAL.—The Secretary of Education
17 shall award a grant to each qualified local edu-
18 cational agency with an approved application to en-
19 able the qualified local educational agency to bring
20 additional eligible educators and support staff into
21 elementary schools and secondary schools and estab-
22 lish community partnerships, and carry out other ac-
23 tivities described in this section, with the goals of—

24 (A) expanding educational opportunities
25 and improving academic achievement;

1 (B) expanding social service programming;

2 (C) developing locally designed and rooted
3 educational programs;

4 (D) developing and implementing trauma-
5 informed violence prevention strategies;

6 (E) promoting safe, secure, and welcoming
7 school and community environments;

8 (F) strengthening the educator pipeline,
9 improving teacher professional development,
10 and diversifying the teacher and school leader
11 workforce;

12 (G) improving student engagement and de-
13 creasing chronic absenteeism;

14 (H) better integrating knowledge of the
15 local community into schools; and

16 (I) providing support, training, and career
17 pathways for paraprofessionals.

18 (2) CONSULTATION AND INTEGRATION.—

19 (A) CONSULTATION BY THE SECRETARY.—

20 The Secretary of Education shall consult with
21 States and Indian Tribes, as appropriate, in ad-
22 ministering the grant program under this sec-
23 tion. During such consultation, the Secretary of
24 Education shall strongly encourage the States
25 to integrate the locally designed and rooted edu-

1 cational programs, developed under paragraph
2 (1) (as applicable), into State educational plans
3 and activities, and to support, replicate, and
4 disseminate such educational programs, as ap-
5 propriate.

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

12 (3) QUALIFIED LOCAL EDUCATIONAL AGEN-
13 CY.—In this section, the term “qualified local edu-
14 cational agency” means—

15 (A) a local educational agency that serves
16 1 or more elementary schools or secondary
17 schools that are ranked as one of the $\frac{1}{3}$ most
18 vulnerable schools in the United States, based
19 on the most recent available vulnerability rank-
20 ing;

21 (B) a local educational agency that serves
22 elementary schools or secondary schools that
23 are in the bottom $\frac{1}{3}$ of all schools in the State
24 when ranked by student-to-staff ratios from
25 lowest to highest ratios based on the most re-

1 cent data from the National Center for Edu-
2 cation Statistics; or

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

4 (4) ADDITIONAL LOCAL EDUCATIONAL AGEN-
5 CIES.—Notwithstanding paragraph (1), if funding
6 under this section remains after the Secretary of
7 Education has awarded grants to each qualified local
8 educational agency that submits an application
9 under this section, in amounts that are sufficient to
10 meet the needs of those agencies, the Secretary of
11 Education shall award grants under this section to
12 other local educational agencies that are not quali-
13 fied local educational agencies, in accordance with
14 the priority requirements described in subsection
15 (b)(3).

16 (b) APPLICATION.—

17 (1) IN GENERAL.—A local educational agency
18 desiring a grant under this section shall submit an
19 application to the Secretary of Education, at such
20 time, in such manner, and containing such informa-
21 tion as the Secretary of Education may reasonably
22 require, which shall include the following:

23 (A) The resource allocation plan described
24 in section 101.

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

5 (i) reside in the same catchment area
6 as students attending the school in which
7 those eligible educators and support staff
8 will work, or who previously attended the
9 school in which the educators and staff will
10 work; or

11 (ii) reside in the same zip code, or a
12 neighboring zip code, as the school in
13 which the educators and staff will work.

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

19 (i) retain those positions, and a de-
20 scription of the local educational agency's
21 plan to fund those positions after such pe-
22 riod; and

23 (ii) attempt to maintain and continue
24 to fund community partnerships supported
25 by such grant, to the extent that the other

1 entities in those partnerships desire to con-
2 tinue the activities supported with grant
3 funds.

4 (D) A description of the local educational
5 agency's plan to—

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

15 (ii) aim to place a lead teacher and
16 paraprofessional in all prekindergarten
17 through grade 3 classes;

18 (iii) aim to hire at least 1 full-time
19 equivalent school psychologist for every
20 500 students, at least 1 full-time equiva-
21 lent school counselor for every 250 stu-
22 dents, and at least 1 full-time equivalent
23 school social worker for every 250 students
24 served by the agency; and

1 (iv) where applicable, aim to shift spe-
2 cial educators from a caseload model to a
3 workload analysis model to ensure suffi-
4 cient capacity and time to support stu-
5 dents.

6 (E) A description of the local educational
7 agency's plan—

8 (i) to meet the goals described in sub-
9 section (a)(1);

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

15 (iii) for progressing toward reallo-
16 cating resources spent on punishment to
17 restorative justice practices; and

18 (iv) to progress toward ending the use
19 of seclusion, restraint, and corporal pun-
20 ishment.

21 (2) APPROVAL.—

22 (A) IN GENERAL.—The Secretary of Edu-
23 cation shall approve each application that meets
24 the requirements of this section.

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

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

10 (ii) review and approve revised appli-
11 cations that meet such requirements.

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

19 (A) Serving a percentage that is higher
20 than the State median of students who are
21 counted under section 1113(a)(5)(A) of the Ele-
22 mentary and Secondary Education Act of 1965
23 (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) USES OF FUNDS.—

11 (1) SUPPORT FOR ELIGIBLE EDUCATORS AND
12 SUPPORT STAFF.—

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

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

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

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

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

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

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

9 (2) COMMUNITY PARTNERSHIPS, EDUCATIONAL
10 PROGRAMMING, AND SOCIAL SERVICE PROGRAM-
11 MING.—

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

- 21 (i) Development of place-based and
22 experiential education and community-driv-
23 en educational programs, with a focus on
24 educational programs that affirm and ex-
25 plore the underlying principles of the

1 Green New Deal, including the significance
2 of and the connections between racial, eco-
3 nomic, and environmental and climate jus-
4 tice, and that are responsive to the impacts
5 of climate change and socioeconomic injus-
6 tice on youth mental health.

7 (ii) Programs and spaces that engage
8 students in hands-on, project-based learn-
9 ing across science, technology, engineering,
10 arts, and mathematics instruction, as well
11 as humanities instruction, in the scientific,
12 technical, design, and social aspects of
13 healthy green retrofits funded by the cli-
14 mate capital facilities grants under section
15 102, as well as of any other uses of those
16 grants.

17 (iii) Spaces and programming to ad-
18 vance vocational and career and technical
19 education, including project-based learning
20 opportunities and advancing such edu-
21 cation in partnership with career and tech-
22 nical education schools, community col-
23 leges, local institutions of higher education,
24 community organizations, and pre-appren-
25 ticeship programs, to prepare students for

1 a wide range of careers related to address-
2 ing climate change.

3 (iv) Programming to support extra-
4 curricular, co-curricular, and community-
5 based activities such as arts, music, recre-
6 ation, organized sports, honor societies, 4-
7 H clubs, foreign and Native languages, col-
8 lege access centers, civic engagement clubs
9 and activities, clubs and activities to sup-
10 port movement and connectedness to na-
11 ture, early child care centers, and after-
12 school and summer education program-
13 ming.

14 (v) Creating or supporting a school-
15 based youth peer support program.

16 (vi) Other partnerships with local
17 community organizations and social service
18 providers to expand the scale and scope of
19 on-site services in support of the resource
20 allocation plan for the grant.

21 (vii) Training and professional devel-
22 opment to advance trauma-informed, heal-
23 ing-centered learning models and practices,
24 centering on the whole child and the child's

1 cognitive, emotional, and social needs, in-
2 clusive of culturally responsive pedagogy.

3 (viii) Providing funding to establish or
4 improve libraries, child care centers, health
5 offices, mental health and wellness centers,
6 cafeteria and dining spaces, gymnasiums,
7 studios and art spaces, outdoor green
8 spaces, or job resource centers in the
9 schools that are served by the local edu-
10 cational agency, which shall be operated by
11 the local educational agency or the local
12 educational agency in partnership with a
13 nonprofit organization.

14 (ix) Website development and other
15 communications to share and exchange
16 knowledge and best practices.

17 (x) Wellness, stress management, and
18 mindfulness training.

19 (xi) Anti-racist and anti-hate edu-
20 cational programming.

21 (xii) Training for and implementation
22 of restorative justice practices, including
23 peer mediation, restorative conferences,
24 counseling, and peace circles for students
25 as well as anti-bullying initiatives.

1 (xiii) Developing and implementing
2 evidence-based practices to support school
3 safety that do not rely on the criminal jus-
4 tice system.

5 (xiv) Developing and implementing
6 evidence-based, inclusive, and trauma-in-
7 formed practices to prevent violence and
8 improve school climate and culture, includ-
9 ing schoolwide positive behavioral interven-
10 tions and supports, restorative justice pro-
11 grams and interventions, social and emo-
12 tional learning programs, community-inte-
13 grated violence prevention programming,
14 and programs to ensure students have ac-
15 cess to one-on-one relationships with men-
16 tors or other caring adults.

17 (xv) Improving school capacity to
18 identify, refer, and provide services to stu-
19 dents and families in need of trauma sup-
20 port services or other social services, in-
21 cluding with the appropriate technology
22 and spaces to do so.

23 (xvi) Technical assistance, including
24 contract templates, local data clearing-
25 houses for best practices, and temporary

1 staff to support finding and building initial
2 partnerships to build the capacity to de-
3 velop and sustain local partnerships with
4 other knowledge centers in the community.

5 (xvii) Increased parent and student
6 engagement in learning.

7 (xviii) Increased availability of trans-
8 lation to create accessible learning environ-
9 ments for English learners.

10 (3) REQUIREMENT.—A local educational agency
11 receiving a grant under this section shall ensure that
12 if such agency contracts with a third-party to carry
13 out activities under this subsection, such third-
14 party—

15 (A) is located in the same catchment area
16 as students attending the school in which they
17 will work, or previously attended the school in
18 which they will work; or

19 (B) is located in a zip code served by the
20 local educational agency receiving the grant or
21 in a neighboring zip code.

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

1 (A) For measures that subject students to
2 potential penalties imposed by law enforcement,
3 unduly surveil students, or otherwise detract
4 from a positive, inclusive, and welcoming school
5 culture and environment.

6 (B) For measures that would reduce the
7 accessibility of the school environment for stu-
8 dents with disabilities.

9 (d) WAGE AND LABOR ORGANIZATION REQUIRE-
10 MENTS.—Each local educational agency that receives
11 funds through a grant under this section, with the excep-
12 tion of schools funded by BIE, shall—

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

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

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

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

12 (1) \$250,000,000,000 to the Secretary of Edu-
13 cation to provide grants under this section; and

14 (2) sums as are necessary to the Secretary of
15 Education for the administrative expenses and provi-
16 sion of technical assistance in carrying out this sec-
17 tion.

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

19 (a) PROGRAM ESTABLISHED.—

20 (1) IN GENERAL.—The Secretary of Education
21 shall facilitate an inclusive, regional equity planning
22 process and award grants to eligible consortia to
23 eliminate intra-region education inequities by pro-
24 viding Federal funds to assist the eligible consortia

1 in planning and carrying out regional education eq-
2 uity plans, in accordance with this section.

3 (2) PLANNING GRANT.—The Secretary of Edu-
4 cation shall award a planning grant under this sec-
5 tion, for a period of not longer than 1 year, to each
6 eligible consortium with an approved application to
7 enable the eligible consortium to develop a regional
8 education equity plan.

9 (3) IMPLEMENTATION GRANT.—The Secretary
10 of Education shall award an implementation grant
11 under this section to each eligible consortium with
12 an approved regional education equity plan to enable
13 the consortium to carry out activities to implement
14 such plan.

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

20 (c) PROVISION OF DATA.—The Secretary of Edu-
21 cation, the Secretary of Housing and Urban Development,
22 the Administrator of the Environmental Protection Agen-
23 cy, and the Secretary of Transportation shall provide each
24 eligible consortium that receives a planning grant under
25 this section with data relevant to that particular eligible

1 consortium about demographic trends, the spatial dis-
2 tribution of poverty, environmental hazards, and access to
3 education, transportation, and economic opportunities
4 across the consortium's region, to assist the eligible con-
5 sortium in developing the regional education equity plan.

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

12 (e) REGIONAL EDUCATION EQUITY PLAN.—

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

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

24 (B) identify the historic causes of those in-
25 equities; and

1 (C) describe activities to redress those in-
2 equities.

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

15 (f) APPLICATION; EQUITY PLAN.—

16 (1) APPLICATION.—Each eligible consortium
17 desiring a planning grant under this section shall
18 submit an application to the Secretary of Education,
19 at such time, in such manner, and containing such
20 information as the Secretary of Education may rea-
21 sonably require.

22 (2) EQUITY PLAN.—Each eligible consortium
23 desiring an implementation grant under this section
24 shall submit a regional education equity plan to the
25 Secretary of Education, at such time, in such man-

1 ner, and containing such information as the Sec-
2 retary of Education may reasonably require, which
3 shall include, at a minimum, the information de-
4 scribed in subsection (e). If the Secretary of Edu-
5 cation does not approve the plan, the Secretary of
6 Education shall work with the eligible consortium
7 and provide technical assistance to assist the eligible
8 consortium in revising the regional education equity
9 plan until the Secretary of Education determines
10 that such plan will be approved.

11 (g) USE OF FUNDS FOR IMPLEMENTATION.—An eli-
12 gible consortium receiving an implementation grant under
13 this section shall—

14 (1) distribute such grant funds to elementary
15 schools and secondary schools that are served by
16 local educational agencies in the eligible consortium
17 in accordance with the regional education equity
18 plan; and

19 (2) may use grant funds for resource sharing
20 and the centralization of administration, planning,
21 and procurement among the local educational agen-
22 cies in the consortium, with the aim of ensuring an
23 equitable distribution of funding and staffing and
24 equitable access to high-quality educational opportu-

1 nities for students, including students who are chil-
2 dren with disabilities and low-income students.

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

8 (i) 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 for the 10-fiscal-
12 year period following the date of enactment of this Act—

13 (1) \$100,000,000 to the Secretary of Education
14 to carry out this section; and

15 (2) sums as are necessary the Secretary of
16 Education for the administrative expenses and provi-
17 sion of technical assistance in carrying out this sec-
18 tion.

19 **SEC. 105. MANDATORY FUNDING OF THE INDIVIDUALS**
20 **WITH DISABILITIES EDUCATION ACT.**

21 Section 611(i) of the Individuals with Disabilities
22 Education Act (20 U.S.C. 1411(i)) is amended to read
23 as follows:

24 “(i) FUNDING.—

1 “(1) IN GENERAL.—For the purpose of car-
2 rying out this part, other than section 619, there are
3 authorized to be appropriated—

4 “(A) \$16,661,928,000 or 11.6 percent of
5 the amount determined under paragraph (2),
6 whichever is greater, for fiscal year 2027, and
7 there are hereby appropriated \$6,425,048,000
8 or 4.5 percent of the amount determined under
9 paragraph (2), whichever is greater, for fiscal
10 year 2027, which shall become available for ob-
11 ligation on July 1, 2027, and shall remain
12 available through September 30, 2028;

13 “(B) \$19,531,844,000 or 13.4 percent of
14 the amount determined under paragraph (2),
15 whichever is greater, for fiscal year 2028, and
16 there are hereby appropriated \$8,372,932,000
17 or 5.7 percent of the amount determined under
18 paragraph (2), whichever is greater, for fiscal
19 year 2028, which shall become available for ob-
20 ligation on July 1, 2028, and shall remain
21 available through September 30, 2029;

22 “(C) \$22,896,084,000 or 15.3 percent of
23 the amount determined under paragraph (2),
24 whichever is greater, for fiscal year 2029, and
25 there are hereby appropriated \$10,911,357,000

1 or 7.3 percent of the amount determined under
2 paragraph (2), whichever is greater, for fiscal
3 year 2029, which shall become available for ob-
4 ligation on July 1, 2029, and shall remain
5 available through September 30, 2030;

6 “(D) \$26,839,795,000 or 17.6 percent of
7 the amount determined under paragraph (2),
8 whichever is greater, for fiscal year 2030, and
9 there are hereby appropriated \$14,219,357,000
10 or 9.3 percent of the amount determined under
11 paragraph (2), whichever is greater, for fiscal
12 year 2030, which shall become available for ob-
13 ligation on July 1, 2030, and shall remain
14 available through September 30, 2031;

15 “(E) \$31,462,786,000 or 20.2 percent of
16 the amount determined under paragraph (2),
17 whichever is greater, for fiscal year 2031, and
18 there are hereby appropriated \$18,530,244,000
19 or 11.9 percent of the amount determined
20 under paragraph (2), whichever is greater, for
21 fiscal year 2031, which shall become available
22 for obligation on July 1, 2031, and shall remain
23 available through September 30, 2032;

24 “(F) \$36,882,058,000 or 23.1 percent of
25 the amount determined under paragraph (2),

1 whichever is greater, for fiscal year 2032, and
2 there are hereby appropriated \$24,148,064,000
3 or 15.2 percent of the amount determined
4 under paragraph (2), whichever is greater, for
5 fiscal year 2032, which shall become available
6 for obligation on July 1, 2032, and shall remain
7 available through September 30, 2033;

8 “(G) \$43,234,768,000 or 26.5 percent of
9 the amount determined under paragraph (2),
10 whichever is greater, for fiscal year 2033, and
11 there are hereby appropriated \$31,469,041,000
12 or 19.3 percent of the amount determined
13 under paragraph (2), whichever is greater, for
14 fiscal year 2033, which shall become available
15 for obligation on July 1, 2033, and shall remain
16 available through September 30, 2034;

17 “(H) \$50,681,693,000 or 30.4 percent of
18 the amount determined under paragraph (2),
19 whichever is greater, for fiscal year 2034, and
20 there are hereby appropriated \$41,009,521,000
21 or 24.6 percent of the amount determined
22 under paragraph (2), whichever is greater, for
23 fiscal year 2034, which shall become available
24 for obligation on July 1, 2034, and shall remain
25 available through September 30, 2035;

1 “(I) \$59,411,305,000 or 34.9 percent of
2 the amount determined under paragraph (2),
3 whichever is greater, for fiscal year 2035, and
4 there are hereby appropriated \$53,442,392,000
5 or 31.4 percent of the amount determined
6 under paragraph (2), whichever is greater, for
7 fiscal year 2035, which shall become available
8 for obligation on July 1, 2035, and shall remain
9 available through September 30, 2036; and

10 “(J) \$69,644,540,000 or 40 percent of the
11 amount determined under paragraph (2),
12 whichever is greater, for fiscal year 2036 and
13 each subsequent fiscal year, and there are here-
14 by appropriated \$69,644,540,000 or 40 percent
15 of the amount determined under paragraph (2),
16 whichever is greater, for fiscal year 2036 and
17 each subsequent fiscal year, which—

18 “(i) shall become available for obliga-
19 tion with respect to fiscal year 2036 on
20 July 1, 2035, and shall remain available
21 through September 30, 2037; and

22 “(ii) shall become available for obliga-
23 tion with respect to each subsequent fiscal
24 year on July 1 of that fiscal year and shall

1 remain available through September 30 of
2 the succeeding fiscal year.

3 “(2) AMOUNT.—With respect to each subpara-
4 graph of paragraph (1), the amount determined
5 under this paragraph is the product of—

6 “(A) the total number of children with dis-
7 abilities in all States who—

8 “(i) received special education and re-
9 lated services during the last school year
10 that concluded before the first day of the
11 fiscal year for which the determination is
12 made; and

13 “(ii) were aged—

14 “(I) 3 through 5 (with respect to
15 the States that were eligible for
16 grants under section 619); and

17 “(II) 6 through 21; and

18 “(B) the average per-pupil expenditure in
19 public elementary schools and secondary schools
20 in the United States.”.

21 **SEC. 106. ELEMENTARY AND SECONDARY EDUCATION**
22 **FUNDING.**

23 Out of funds in the Treasury not otherwise appro-
24 priated, there are appropriated to carry out part A of title
25 I of the Elementary and Secondary Education Act of 1965

1 (20 U.S.C. 6311 et seq.), \$74,000,000,000 for each of the
2 10 fiscal years following the date of enactment of this Act.

3 **TITLE II—CLIMATE CHANGE**
4 **RESILIENCY**

5 **SEC. 201. DEFINITIONS.**

6 In this Act:

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

12 (A) may conduct, or provide space for, tar-
13 geted activities such as helping reach commu-
14 nity members not well-served by existing re-
15 sources or preparedness programs, and serving
16 as a shelter or communications center in emer-
17 gencies, distributing food, energy and other
18 basic needs during or after a disaster, providing
19 trauma-informed care and mental health serv-
20 ices during or after a disaster, and enabling
21 faster recovery through connecting community
22 members with services; and

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

1 (2) ENVIRONMENTAL JUSTICE COMMUNITY.—

2 The term “environmental justice community” means
3 a community with significant representation of com-
4 munities of color, low-income communities, or Tribal
5 and indigenous communities that experiences, or is
6 at risk of experiencing, higher or more adverse
7 human health or environmental effects as compared
8 to other communities.

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

10 The Secretary of Education, in coordination with the
11 Secretary of Health and Human Services and the Sec-
12 retary of the Interior, shall establish a Climate Change
13 Resiliency Program to—

14 (1) increase the resiliency of the United States
15 public school system, BIE schools, and schools fund-
16 ed by BIE during—

17 (A) climate change-related events and nat-
18 ural disasters, including extreme weather
19 events, droughts, hurricanes, coastal and inland
20 flooding, sea level rise, increased storm surge,
21 wildfires, mudslides, extreme temperatures, tor-
22 nadoes, earthquakes, and volcanos; and

23 (B) public health emergencies;

24 (2) increase the ability of the United States
25 public school system, BIE schools, and schools fund-

1 ed by BIE to advance climate justice and environ-
2 mental justice by serving as community resiliency
3 centers;

4 (3) build partnerships among local businesses,
5 labor unions, apprenticeship programs, nonprofit or-
6 ganizations, and educators to facilitate applied
7 STEAM and social science learning opportunities re-
8 lated to climate resiliency for students and create
9 local jobs; and

10 (4) prioritize public educational institutions,
11 BIE schools, and schools funded by BIE as centers
12 of innovation and pathways to green collar jobs
13 through investments in vocational and technical edu-
14 cation in public schools that connect to labor organi-
15 zation registered apprenticeships and other high-
16 road jobs.

17 **SEC. 203. GRANT PROGRAM.**

18 (a) IN GENERAL.—As part of the Climate Change
19 Resiliency Program established under section 202, the
20 Secretary of Education shall establish a program to make
21 grants to State educational agencies, in partnership with
22 local educational agencies and local nonprofit organiza-
23 tions, for the development and implementation of State-
24 wide, regional, or local climate resiliency plans or climate
25 resiliency projects for public elementary schools and sec-

1 ondary schools, BIE schools, and schools funded by BIE,
2 with the aim of enabling public schools to serve as commu-
3 nity resiliency centers.

4 (b) CLIMATE RESILIENCY PLANS AND PROJECTS.—

5 Each climate resiliency plan or climate resiliency project
6 under subsection (a) shall include 1 or more of the fol-
7 lowing depending on the needs of the schools and sur-
8 rounding communities to be served:

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

11 (A) installing on-site distributed generation
12 that combines energy efficient devices, energy
13 storage, and renewable energy to allow the
14 school to access essential energy during power
15 outages and optimize use of on-site and off-site
16 energy sources for emissions reductions;

17 (B) upgrading school kitchen facilities to
18 support the preparation of scratch-cooked stu-
19 dent meals that use whole ingredients and are
20 rich in fruits, vegetables, legumes, and whole
21 grains;

22 (C) projects that generate and maintain
23 publicly accessibly integrated sustainability data
24 and building management platforms;

1 (D) improving walkability and accessibility
2 on school grounds and in all school buildings;

3 (E) acquiring relevant disaster response
4 equipment and carrying out disaster response
5 training;

6 (F) procuring electric school buses;

7 (G) installing public charging infrastruc-
8 ture for electric school buses and electric vehi-
9 cles;

10 (H) establishing or improving dedicated in-
11 frastructure for safe transportation by bicycle,
12 including bicycle lanes and parking spots;

13 (I) enhancing multi-modal access to sup-
14 port the needs of all students, families, and
15 staff, whether they walk, bike, use transit, or
16 use other means of transportation to and from
17 school;

18 (J) establishing or improving vehicle speed
19 reduction infrastructure; and

20 (K) a project involving the installation of
21 high-speed internet infrastructure, in coordina-
22 tion with the E-rate program of the Federal
23 Communications Commission set forth under
24 subpart F of part 54 of title 47, Code of Fed-

1 eral Regulations (or any successor regula-
2 tion)—

3 (i) in order to provide universal inter-
4 net access for schools served by the grant-
5 ee, BIE schools, and schools funded by
6 BIE;

7 (ii) with an upload speed that allows
8 for the full execution of activities related to
9 virtual teaching and learning, including the
10 access and use of interactive online learn-
11 ing modules and textbooks, online profes-
12 sional learning courses, videoconferencing,
13 and assistive technology;

14 (iii) including the ongoing costs asso-
15 ciated with providing that internet infra-
16 structure and access;

17 (iv) with respect to which, schools are
18 encouraged to partner with municipal and
19 other public or nonprofit entities to sup-
20 port internet access; and

21 (v) with respect to which the school
22 will ensure that all internet service pro-
23 viders with which the school contracts for
24 the project include open access infrastruc-
25 ture.

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

3 (A) wetlands, drainage ponds, and any
4 other green infrastructure to protect schools
5 from projected severe effects with respect to ex-
6 treme weather, natural disasters, or climate
7 change-related events, including sea-level rise,
8 flooding, and increased risk of wildfire;

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

19 (C) indoor plantings, particularly those
20 that can provide air quality improvements;

21 (D) tree plantings and green playgrounds
22 that, at appropriate times, can act as a green
23 space for the community;

24 (E) community gardens that may be used
25 by the school to provide healthy food for stu-

1 dents or by the community to provide healthy
2 food for community residents;

3 (F) procurement of local, organic, and
4 sustainably produced food, including a focus on
5 healthy, plant-based options; and

6 (G) large scale food composting operations,
7 and other projects to reduce single-use plastic
8 and promote zero-waste options.

9 (3) Projects to enable remote learning in the
10 event that a school building is unusable due to a
11 natural disaster, climate- or climate-change related
12 event, severe weather, or infectious disease out-
13 breaks.

14 (4) Projects for climate resiliency education, in-
15 cluding STEAM and social science education and ca-
16 reer preparation, such as projects that combine up-
17 grades to school buildings and grounds with career
18 and technical education opportunities.

19 (5) Any other type of plan or project carried
20 out by the State educational agency that the Sec-
21 retary of Education determines will increase the re-
22 siliency of a school or school infrastructure provided,
23 operated, or owned by the State educational agency
24 with respect to the events described in section
25 202(1).

1 (c) PRIORITY.—The Secretary of Education shall de-
2 velop metrics to evaluate grant applications and give pri-
3 ority to applications for climate resiliency plans or climate
4 resiliency projects that focus on improving schools in
5 neighborhoods that experience low air quality, lack green
6 space and healthy food, bear higher cumulative pollution
7 burdens, or are at high risk of experiencing the adverse
8 effects of climate change.

9 (d) COMPONENTS.—The Secretary of Education, di-
10 rectly or through partnerships with States and nonprofit
11 organizations, shall provide technical assistance to support
12 grantees in developing and implementing climate resiliency
13 plans or climate resiliency projects that—

14 (1) provide hands-on education and applied
15 STEAM and social science learning opportunities to
16 students;

17 (2) demonstrate a commitment to provide job
18 training, registered apprenticeship programs, and
19 contracting opportunities to residents and small
20 businesses owned by residents of the community that
21 the school serves;

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

24 (4) utilize climate change and community
25 health data for proactive solutions;

1 (5) employ nature-based solutions that focus on
2 protection, restoration, or management of ecological
3 systems to safeguard public health, provide clean air
4 and water, increase natural hazard resilience, and
5 sequester carbon;

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

9 (7) achieve broad and multiple community ben-
10 efits; and

11 (8) monitor project success and maintaining the
12 project into the future.

13 (e) EXISTING INITIATIVES.—The Secretary of Edu-
14 cation may encourage and give priority to climate resil-
15 iency plans or climate resiliency projects that integrate
16 with and inform existing sustainability initiatives, such as
17 the Department of Education Green Ribbon Schools pro-
18 gram.

19 (f) ENVIRONMENTAL HEALTH.—The Secretary of
20 Education may develop and encourage metrics to support
21 consistent reporting of environmental health best practices
22 and other outcomes.

23 (g) COORDINATION.—

24 (1) ENVIRONMENTAL PROTECTION AGENCY AND
25 AGRICULTURE.—The Secretary of Education shall

1 coordinate with the Administrator of the Environ-
2 mental Protection Agency and the Secretary of Agri-
3 culture to provide technical guidance or assistance to
4 State educational agencies in designing and carrying
5 out climate resiliency plans or climate resiliency
6 projects funded by the grant program as they relate
7 to healthy schools.

8 (2) DEPARTMENT OF ENERGY.—The Secretary
9 of Education shall coordinate with the Secretary of
10 Energy to develop metrics to evaluate grant applica-
11 tions and provide technical assistance to State and
12 local educational agencies in designing and carrying
13 out climate resiliency plans or climate resiliency
14 projects.

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

21 (i) ENVIRONMENTAL JUSTICE COMMUNITIES.—The
22 Secretary of Education shall ensure that not less than 50
23 percent of funds awarded under this section are used for
24 projects located in environmental justice communities.

25 (j) WAGE RATE REQUIREMENTS.—

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

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

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

19 (1) DEFINITIONS.—In this subsection:

20 (A) MANUFACTURED PRODUCT.—The term
21 “manufactured product” means any construc-
22 tion material or end product (as those terms
23 are defined in part 25.003 of the Federal Ac-
24 quisition Regulation) that is not an iron or steel
25 product, including—

- 1 (i) electrical components; and
2 (ii) non-ferrous building materials, in-
3 cluding aluminum, polyvinylchloride, glass,
4 fiber optics, plastic, wood, masonry, rub-
5 ber, manufactured stone, any other non-
6 ferrous metals, and any unmanufactured
7 construction material.

8 (B) PRODUCED IN THE UNITED STATES.—

9 The term “produced in the United States”
10 means the following:

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

- 19 (ii) When used with respect to iron or
20 steel products, or an individual component
21 of a manufactured product, all manufac-
22 turing processes for those iron or steel
23 products or components, from the initial
24 melting stage through the application of

1 coatings, occurred in the United States, ex-
2 cept that the term does not include—

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

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

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

16 (3) WAIVER AUTHORITY.—

17 (A) IN GENERAL.—The Secretary of Edu-
18 cation may waive the requirement under para-
19 graph (2) if the Secretary of Education deter-
20 mines that—

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

23 (ii) iron, steel, and manufactured
24 products produced in the United States are
25 not produced in a sufficient and reasonably

1 available quantity or are not of a satisfac-
2 tory quality; or

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

8 (B) PUBLICATION.—Before issuing a waiv-
9 er under subparagraph (A), the Secretary of
10 Education shall publish in the Federal Register
11 a detailed written explanation of the waiver de-
12 termination.

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 of Edu-
20 cation shall submit to Congress a report that evaluates
21 the effectiveness of the activities carried out under this
22 title.

1 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS; MANDA-**
2 **TORY APPROPRIATIONS.**

3 (a) IN GENERAL.—Out of funds in the Treasury not
4 otherwise appropriated, there are authorized to be appro-
5 priated, and there are appropriated for each of fiscal years
6 2027 through 2037, \$4,000,000,000 to the Secretary of
7 Education to carry out this title.

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