

Healthy and High Performance Schools

ESEA—No Child Left Behind Act of 2001

H.R.1 -- To close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

SEC. 5414. STUDIES OF NATIONAL SIGNIFICANCE.

(a) STUDIES- The Secretary shall conduct the following studies of national significance:

(1) UNHEALTHY PUBLIC SCHOOL BUILDINGS- A study regarding the health and learning impacts of environmentally unhealthy public school buildings on students and teachers. The study shall include the following information:

(A) The characteristics of those public elementary school and secondary school buildings that contribute to unhealthy school environments.

(B) The health and learning impacts of environmental unhealthy public school buildings on students that are attending or that have attended such schools.

(C) Recommendations to Congress on how to assist schools that are out of compliance with Federal or State health and safety codes, and a cost estimate of bringing up environmentally unhealthy public school buildings to minimum Federal health and safety building standards.

Subpart 18--Healthy, High-Performance Schools

SEC. 5581. GRANT PROGRAM AUTHORIZED.

The Secretary [of Education], in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, is authorized to award grants to State educational agencies to permit such State educational agencies to carry out section 5582.

SEC. 5582. STATE USES OF FUNDS.

(a) SUBGRANTS-

(1) IN GENERAL- A State educational agency receiving a grant under this subpart shall use funds made available under the grant to award subgrants to local educational agencies to permit such local educational agencies to carry out the activities described in section 5583.

(2) LIMITATION- A State educational agency shall award subgrants under this subsection to local educational agencies that are the neediest, as determined by the State, and that have made a commitment to develop healthy, high-performance school buildings in accordance with the plan developed and approved under paragraph

`(3) IMPLEMENTATION-

`(A) PLANS- A State educational agency shall award subgrants under this subsection only to local educational agencies that, in consultation with the State educational agency and State agencies with responsibilities relating to energy and health, have developed plans that the State educational agency determines to be feasible and appropriate in order to achieve the purposes for which the subgrants are made.

`(B) SUPPLEMENTING GRANT FUNDS- The State educational agency shall encourage local educational agencies that receive subgrants under this subsection to supplement their subgrant funds with funds from other sources in order to implement their plans.

`(b) ADMINISTRATION- A State educational agency receiving a grant under this subpart shall use the grant funds made available under this subpart for one or more of the following:

`(1) To evaluate compliance by local educational agencies with the requirements of this subpart.

`(2) To distribute information and materials on healthy, high-performance school buildings for both new and existing facilities.

`(3) To organize and conduct programs for school board members, school district personnel, and others to disseminate information on healthy, high-performance school buildings.

`(4) To provide technical services and assistance in planning and designing healthy, high-performance school buildings.

`(5) To collect and monitor information pertaining to healthy, high-performance school building projects.

`SEC. 5583. LOCAL USES OF FUNDS.

`(a) IN GENERAL- A local educational agency that receives a subgrant under section 5582(a) shall use the subgrant funds to plan and prepare for healthy, high-performance school building projects that--

`(1) reduce energy use to at least 30 percent below that of a school constructed in compliance with standards prescribed in chapter 8 of the 2000 International Energy Conservation Code, or a similar State code intended to achieve substantially equivalent results;

`(2) meet Federal and State health and safety codes; and

`(3) support healthful, energy efficient, and environmentally sound practices.

`(b) USE OF FUNDS- A local educational agency that receives a subgrant under section 5582(a) shall use funds for one or more of the following:

- `(1) To develop a comprehensive energy audit of the energy consumption characteristics of a building and the need for additional energy conservation measures necessary to allow schools to meet the guidelines set out in subsection (a).
- `(2) To produce a comprehensive analysis of building strategies, designs, materials, and equipment that--
 - `(A) are cost effective, produce greater energy efficiency, and enhance indoor air quality; and
 - `(B) can be used when conducting school construction and renovation or purchasing materials and equipment.
- `(3) To obtain research and provide technical services and assistance in planning and designing healthy, high-performance school buildings, including developing a timeline for implementation of such plans.

`SEC. 5584. REPORT TO CONGRESS.

`The Secretary shall conduct a biennial review of State actions implementing this subpart and carrying out the plans developed under this subpart through State and local funding, and shall submit a report to Congress on the results of such reviews.

`SEC. 5585. LIMITATIONS.

`No funds received under this subpart may be used for any of the following:

- `(1) Payment of maintenance of costs in connection with any projects constructed in whole or in part with Federal funds provided under this subpart.
- `(2) Construction, renovation, or repair of school facilities.
- `(3) Construction, renovation, repair, or acquisition of a stadium or other facility primarily used for athletic contests or exhibitions, or other events for which admission is charged to the general public.

`SEC. 5586. HEALTHY, HIGH-PERFORMANCE SCHOOL BUILDING DEFINED.

`In this subpart, the term `healthy, high-performance school building' means a school building in which the design, construction, operation, and maintenance--

- `(1) use energy-efficient and affordable practices and materials;
- `(2) are cost-effective;
- `(3) enhance indoor air quality; and
- `(4) protect and conserve water.