107TH CONGRESS 1ST SESSION

H. R. 1129

To establish the High Performance Schools Program in the Department of Energy and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

March 20, 2001

Mr. Udall of Colorado (for himself, Mr. Boehlert, Mr. George Miller of California, Mr. Bonior, Mr. Etheridge, and Mr. Honda) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To establish the High Performance Schools Program in the Department of Energy and for other purposes.

- 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 "High Performance
- 5 Schools Act of 2001".
- 6 SEC. 2. FINDINGS AND PURPOSE.
- 7 (a) FINDINGS.—The Congress finds the following:

- 1 (1) American K-12 schools spend over \$6 bil-2 lion annually on energy costs, which is more than is 3 spent on books and computers combined.
 - (2) Educators teach and students learn best in an environment that is comfortable, healthy, naturally lit where possible, and in good repair, and studies have indicated that student achievement is greater and attendance higher when those conditions are met.
 - (3) Over half of our Nation's K–12 schools are more than 40 years old and in need of renovation to reach such standard of efficiency and comfort, and 6,000 new schools will be required over the next 10 years to accommodate the growing number of students.
 - (4) Inadequate ventilation in school buildings, poor lighting and acoustical quality, and uncomfortable temperatures can diminish students' capacity to concentrate and excel.
 - (5) Inefficient use of water, either in consumption or from poorly maintained systems, is prevalent in older schools.
 - (6) Using a whole building approach in the design of new schools and the renovation of existing schools—considering how materials, systems, and

- products connect and overlap and also how a school
 is integrated on its site and within the surrounding
 community—will result in high performance school
 buildings.
 - (7) Adoption of whole building concepts has been shown to result in dramatic improvements in student and teacher performance.
 - (8) Adopting a whole building approach usually results in a lower life cycle cost for the school building than for a conventionally designed and built building.
 - (9) Systematic use of energy conservation in school construction and renovation projects can save at least one quarter of current energy costs, leaving more money for teachers and educational materials.
 - (10) The use of renewable energy sources such as daylighting, passive solar heating, photovoltaics, wind, geothermal, hydropower, and biomass power in a building already designed to be low-energy can help meet the building's energy needs without added emissions.
 - (11) Using environmentally preferable products and providing for adequate supplies of fresh air will improve indoor air quality and provide healthful school buildings.

1	(12) Most school districts do not have the
2	knowledge of cutting-edge design and technologies to
3	implement optimum efficiency into new school con-
4	struction or into school renovations.
5	(b) Purpose.—It is the purpose of this Act to assist
6	school districts in the production, through construction or
7	renovation, of high performance elementary and secondary
8	school buildings that are healthful, productive, energy effi-
9	cient, and environmentally sound.
10	SEC. 3. PROGRAM ESTABLISHMENT AND ADMINISTRATION
11	(a) Establishment.—There is established in the
12	Department of Energy the High Performance Schools
13	Program (in this Act referred to as the "Program").
14	(b) In General.—The Secretary of Energy may
15	through the Program, make grants—
16	(1) to be provided to school districts to imple-
17	ment the purpose of this Act for new and existing
18	school buildings;
19	(2) to State energy offices to administer the
20	program of assistance to school districts pursuant to
21	this Act; and
22	(3) to State energy offices to promote participa-
23	tion by school districts in the program established by
24	this Act.

1	(c) Grants To Assist School Districts.—Grants
2	under subsection (b)(1) for new school buildings shall be
3	used to achieve energy efficiency performance that reduces
4	energy use at least 30 percent below that of a school con-
5	structed in compliance with standards prescribed in Chap-
6	ter 8 of the 2000 International Energy Conservation Code,
7	or a similar State code intended to achieve substantially
8	equivalent results. Grants under subsection (b)(1) for ex-
9	isting school buildings shall be used to achieve energy effi-
10	ciency performance that reduces energy use below the
11	school's baseline consumption, assuming a 3-year, weath-
12	er-normalized average for calculating such baseline.
13	Grants under subsection (b)(1) shall be made to school
14	districts that have—
15	(1) demonstrated a need for such grants in
16	order to respond appropriately to increasing elemen-
17	tary and secondary school enrollments or to make
18	major investments in renovation of school facilities;
19	and
20	(2) made a commitment to use the grant funds
21	to develop high performance school buildings in ac-
22	cordance with the plan developed and approved pur-
23	suant to subsection $(e)(1)$.
24	(d) Other Grants.—

1	(1) Grants for administration.—Grants
2	under subsection (b)(2) shall be used to evaluate
3	compliance by school districts with requirements of
4	this Act and in addition may be used for—
5	(A) distributing information and materials
6	to clearly define and promote the development
7	of high performance school buildings for both
8	new and existing facilities;
9	(B) organizing and conducting programs
10	for school board members, school district per-
11	sonnel, architects, engineers, and others to ad-
12	vance the concepts of high performance school
13	buildings;
14	(C) obtaining technical services and assist-
15	ance in planning and designing high perform-
16	ance school buildings; and
17	(D) collecting and monitoring data and in-
18	formation pertaining to the high performance
19	school building projects.
20	(2) Grants to promote participation.—
21	Grants under subsection (b)(3) may be used for pro-
22	motional and marketing activities, including facili-
23	tating private and public financing, promoting the

use of energy service companies, working with school

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- administrations, students, and communities, and coordinating public benefit programs.
- 3 (e) Implementation.—
- 4 (1) PLANS.—Grants under subsection (b)(1)
 5 shall be provided only to school districts that, in con6 sultation with State offices of energy and education,
 7 have developed plans that the State energy office de8 termines to be feasible and appropriate in order to
 9 achieve the purposes for which such grants are
 10 made.
- 11 (2) SUPPLEMENTING GRANT FUNDS.—The
 12 State energy office shall encourage qualifying school
 13 districts to supplement their grant funds with funds
 14 from other sources in the implementation of their
 15 plans.
- 16 SEC. 4. ALLOCATION OF FUNDS.
- 17 (a) In General.—Except as provided in subsection
- 18 (c), funds appropriated to carry out this Act shall be pro-
- 19 vided to State energy offices.
- 20 (b) Purposes.—Except as provided in subsection
- 21 (c), funds appropriated to carry out this Act shall be allo-
- 22 cated as follows:
- 23 (1) Seventy percent shall be used to make
- grants under section 3(b)(1).

- 1 (2) Fifteen percent shall be used to make 2 grants under section 3(b)(2).
- 3 (3) Fifteen percent shall be used to make 4 grants under section 3(b)(3).
- 5 (c) Other Funds.—The Secretary of Energy may
- 6 retain not to exceed \$300,000 per year from amounts ap-
- 7 propriated under section 5 to assist State energy offices
- 8 in coordinating and implementing the Program. Such
- 9 funds may be used to develop reference materials to fur-
- 10 ther define the principles and criteria to achieve high per-
- 11 formance school buildings.

12 SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

- There are authorized to be appropriated to the Sec-
- 14 retary of Energy to carry out this Act \$200,000,000 for
- 15 each of fiscal years 2002 through 2005, and such sums
- 16 as may be necessary for each of fiscal years 2006 through
- 17 2011.

18 SEC. 6. REPORT TO CONGRESS.

- 19 The Secretary of Energy shall conduct a biennial re-
- 20 view of State actions implementing this Act, and the Sec-
- 21 retary shall report to Congress on the results of such re-
- 22 views. In conducting such reviews, the Secretary shall as-
- 23 sess the effectiveness of the calculation procedures used
- 24 by the States in establishing eligibility of schools for fund-
- 25 ing under this Act, and may assess other aspects of the

- 1 program to determine whether they have been effectively
- 2 implemented.

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3 SEC. 7. DEFINITIONS.

- 4 For purposes of this Act:
- 5 (1) ELEMENTARY AND SECONDARY SCHOOL.—
 6 The terms "elementary school" and "secondary
 7 school" shall have the same meaning given such
 8 terms in paragraphs (14) and (26) of section 14101
 9 of the Elementary and Secondary Education Act of
 10 1965 (20 U.S.C. 8801(14), (26)).
 - (2) High performance school building.—
 The term "high performance school building" means a school building which, in its design, construction, operation, and maintenance, maximizes use of renewable energy and energy efficient practices, is cost-effective on a life cycle basis, uses affordable, environmentally preferable, durable materials, enhances indoor environmental quality, protects and conserves water, and optimizes site potential.
 - (3) Renewable energy.—The term "renewable energy" means energy produced by solar, wind, geothermal, hydroelectric, or biomass power.

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