

115TH CONGRESS
2D SESSION

S. 3589

To amend the Elementary and Secondary Education Act of 1965 by establishing a program to support the modernization, renovation, or repair of career and technical education facilities, and to enable schools serving grades 6 through 12 that are located in rural areas or that serve Native American students to remodel or build new facilities to provide STEM classrooms and laboratories and support high-speed internet, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 11, 2018

Mr. SCHATZ introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Elementary and Secondary Education Act of 1965 by establishing a program to support the modernization, renovation, or repair of career and technical education facilities, and to enable schools serving grades 6 through 12 that are located in rural areas or that serve Native American students to remodel or build new facilities to provide STEM classrooms and laboratories and support high-speed internet, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Inspiring New STEM
3 Professionals by Investing in Renovation of Education
4 Spaces Act” or the “INSPIRES Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) Technological advancement has increased
8 the types of jobs available now and for the foresee-
9 able future. Over the next 10 years, employers will
10 be looking to fill an estimated 2,600,000 openings
11 for the top 10 occupations in the collective fields of
12 science, technology, engineering, and mathematics
13 (referred to in this section as “STEM”). STEM jobs
14 pay well; STEM workers earn an average of \$14,000
15 per year more than non-STEM workers at every
16 education level. However, projections suggest that
17 the United States won’t have enough skilled workers
18 to fill STEM jobs.

19 (2) STEM skills and knowledge are now re-
20 quired in a wide range of occupations, including
21 many that are not traditionally considered to be
22 science or engineering-related, such as sustainable
23 agriculture, management of natural resources, and
24 health care. Because of the growing use of STEM
25 skills across all job sectors, the distinction between
26 a “rural” as compared to an “urban” job is blur-

1 ring. For instance, renewable energy development
2 and bio-based product manufacturing employ work-
3 ers in a variety of areas of the United States.
4 Known as the “new collar” economy, the phe-
5 nomenal growth in job opportunities for those who
6 are prepared will also support the growth of commu-
7 nities; places to raise families and invest in the fu-
8 ture.

9 (3) In the middle grades, students begin to
10 demonstrate formal logical operations (critical think-
11 ing). Further, middle school students have been
12 shown to be highly susceptible to developing opinions
13 about their competence and interest in STEM learn-
14 ing. Research has also shown that interest in mathe-
15 matics and science declines during the middle school
16 years. While students in any grade level can benefit
17 from STEM education, the evidence points to ensur-
18 ing quality STEM education for middle school stu-
19 dents. Good STEM experiences in middle school will
20 lead to positive attitudes toward and expectations of
21 STEM experiences in high school.

22 (4) Native American communities, including
23 American Indian, Alaska Native, and Native Hawai-
24 ian populations, have a long history of discrimina-
25 tion and poverty and have higher high school drop

1 out rates than other underserved groups. In assess-
2 ments of mathematics and reading throughout ele-
3 mentary and secondary school grades, American In-
4 dian and Alaska Native children score lower in
5 mathematics and reading proficiency as compared to
6 other groups. Only 28 percent of Native Hawaiians
7 students in Hawaii demonstrate mathematics pro-
8 ficiency as compared with 49 percent of non-Native
9 Hawaiian students. In reading, 34.8 percent of Na-
10 tive Hawaiian students tested proficient compared to
11 54.3 percent of non-Native Hawaiian students.
12 These underserved and socially disadvantaged
13 groups require support and motivation to achieve
14 success in their education.

15 (5) To meet the challenge of educating youth to
16 fulfill the demand for STEM workers, public schools
17 in the United States must be equipped to educate all
18 youth in STEM skills, especially youth who are un-
19 derserved or socially disadvantaged.

20 (6) The median age of United States schools is
21 65 years. Nearly 50 percent of school buildings in
22 the United States need significant repairs or up-
23 grades, including clean and safe classrooms and lab-
24 oratory spaces, up-to-date technology, and broad-

1 band. Moreover, the condition of school facilities has
2 a measurable effect on student achievement.

3 (7) For all of these reasons, the future work-
4 force of the United States needs safe, clean, well-
5 equipped school facilities where, regardless of his-
6 toric or current disadvantages, students can reach
7 their full potential and learn the knowledge and
8 skills that place students on a secure pathway to en-
9 hance the capacity of the United States to compete
10 globally.

11 **SEC. 3. STEM EDUCATION FACILITIES; CAREER AND TECH-**
12 **NICAL EDUCATION FACILITIES.**

13 (a) CAREER AND TECHNICAL EDUCATION FACILI-
14 TIES.—Title V of the Elementary and Secondary Edu-
15 cation Act of 1965 (20 U.S.C. 7241 et seq.) is amended—

16 (1) by redesignating part C as part E;

17 (2) by redesignating sections 5301 and 5302 as
18 sections 5501 and 5502, respectively; and

19 (3) by inserting after part B the following:

20 **“PART C—STEM EDUCATION FACILITIES**

21 **“SEC. 5301. DEFINITIONS.**

22 “In this part:

23 “(1) ELIGIBLE SCHOOL.—The term ‘eligible
24 school’ means a public school that—

1 “(A) serves students in any of grades 6
2 through 12; and

3 “(B)(i) is located—

4 “(I) in a rural area, as defined in sec-
5 tion 25.503 of title 7, Code of Federal
6 Regulations;

7 “(II) on or near trust land, as defined
8 in section 3765 of title 38, United States
9 Code;

10 “(III) on or near a substantially un-
11 derserved trust area, as defined in section
12 306F of the Rural Electrification Act of
13 1936 (7 U.S.C. 936f); or

14 “(IV) in an eligible community, as de-
15 fined in section 1456 of the Safe Drinking
16 Water Act (42 U.S.C. 300j-16); or

17 “(ii) is determined by an Indian tribe or
18 tribal organization to serve Native American
19 students.

20 “(2) INDIAN TRIBE.—The term ‘Indian tribe’
21 has the meaning given the term in section 4 of the
22 Indian Self-Determination and Education Assistance
23 Act (25 U.S.C. 5304).

24 “(3) NATIVE AMERICAN.—The term ‘Native
25 American’ has the meaning given the term in section

1 102 of the Older Americans Act of 1965 (42 U.S.C.
2 3002).

3 “(4) QUALIFIED PROJECT.—The term ‘qualified
4 project’ means—

5 “(A) the modernization, renovation, or re-
6 pair of facilities to provide STEM classrooms or
7 laboratories, including updates related to stu-
8 dent and faculty health and safety;

9 “(B) building new facilities to provide
10 STEM classrooms or laboratories; or

11 “(C) supporting the establishment and
12 maintenance of high-speed internet for a STEM
13 classroom or laboratory.

14 “(5) STEM.—The term ‘STEM’ means the
15 fields of science, technology, engineering, and mathe-
16 matics, and related fields.

17 “(6) TRIBAL ORGANIZATION.—The term ‘tribal
18 organization’ has the meaning given the term in sec-
19 tion 658P of the Child Care and Development Block
20 Grant Act of 1990 (42 U.S.C. 9858n).

21 **“SEC. 5302. STEM EDUCATION FACILITIES IMPROVEMENT.**

22 “(a) PROGRAM AUTHORIZED.—

23 “(1) IN GENERAL.—The Secretary shall carry
24 out a program to improve STEM education facilities
25 by awarding grants to States to enable those States

1 to award subgrants to local educational agencies to
2 carry out qualified projects at eligible schools.

3 “(2) RESERVATION OF FUNDS.—From amounts
4 made available to carry out this section, the Sec-
5 retary shall reserve 10 percent for Indian tribes and
6 tribal organizations to enable Indian tribes and trib-
7 al organizations to carry out qualified projects at eli-
8 gible schools.

9 “(b) ALLOCATION.—From amounts appropriated to
10 carry out this part for each fiscal year and not reserved
11 under subsection (a)(2), the Secretary shall allot to each
12 State that has an application approved under this section
13 an amount that bears the same relationship as the number
14 of schools in the State that are rural schools designated
15 with a locale code of 41, 42, or 43, as determined by the
16 Secretary, bears to the number of all such schools in the
17 United States for that fiscal year.

18 “(c) APPLICATION.—

19 “(1) GRANT APPLICATION FOR STATES.—A
20 State that desires to receive a grant under this part
21 shall submit an application to the Secretary at such
22 a time, in such a manner, and containing such infor-
23 mation as the Secretary may require. Such informa-
24 tion shall include, at a minimum—

1 “(A) a description of the process that the
2 State will use in selecting and awarding sub-
3 grants to local educational agencies; and

4 “(B) an assurance that such process will
5 meet the requirements described in paragraph
6 (2).

7 “(2) SUBGRANT APPLICATION FOR LEAS.—A
8 State that receives a grant under this section shall
9 require a local educational agency that desires a
10 subgrant to submit an application that contains, at
11 a minimum, the following information:

12 “(A) A detailed description of the qualified
13 projects that the local educational agency will
14 carry out with subgrant funds.

15 “(B) A description of the need for those
16 qualified projects.

17 “(C) A description of how the local edu-
18 cational agency will ensure that the qualified
19 projects will be adequately maintained.

20 “(D) An identification of the eligible
21 schools that will benefit from the qualified
22 projects.

23 “(E) A description of how the facilities or
24 internet supported by the qualified project will
25 be used for providing educational services in

1 science, technology, engineering, or mathe-
2 matics.

3 “(3) GRANT APPLICATION FOR INDIAN TRIBES
4 OR TRIBAL ORGANIZATIONS.—An Indian tribe or
5 tribal organization desiring a grant under this sec-
6 tion shall submit an application to the Secretary at
7 such time, in such manner, and accompanied by
8 such information as the Secretary may require.

9 “(d) ENVIRONMENTAL STANDARDS.—The Secretary
10 shall encourage, but not require, local educational agen-
11 cies, Indian tribes, and tribal organizations to ensure that
12 the modernization, renovation, repair, or building sup-
13 ported by the qualified project meets Leadership in En-
14 ergy and Environmental Design (LEED) building rating
15 standards, Energy Star standards, Collaborative for High
16 Performance Schools (CHPS) criteria, Green Building
17 Initiative environmental design and rating standards
18 (Green Globes), the Living Building Challenge certifi-
19 cation standards, or equivalent standards adopted by enti-
20 ties with jurisdiction over or related to the local edu-
21 cational agency or Indian tribe or tribal organization.

22 “(e) MATCHING FUNDS.—

23 “(1) STATES.—A state that receives a grant
24 under subsection (a)(1) shall provide, from non-Fed-
25 eral sources, an amount equal to 25 percent of the

1 amount of the grant (which may be provided in cash
2 or in-kind) to carry out activities supported by the
3 grant.

4 “(2) LEAS.—A local educational agency that
5 receives a subgrant under subsection (a)(1) shall
6 provide, from non-Federal sources, an amount equal
7 to 25 percent of the amount of the subgrant (which
8 may be provided in cash or in-kind) to carry out ac-
9 tivities supported by the subgrant.

10 “(3) INDIAN TRIBES AND TRIBAL ORGANIZA-
11 TIONS.—An Indian tribe or tribal organization that
12 receives a grant under subsection (a)(2) shall pro-
13 vide, from Federal or non-Federal sources, an
14 amount equal to 25 percent of the amount of the
15 grant (which may be provided in cash or in-kind) to
16 carry out activities supported by the grant.

17 “(4) SUGGESTED SOURCES OF MATCHING
18 FUNDS FOR INDIAN TRIBES AND TRIBAL ORGANIZA-
19 TIONS.—An Indian tribe or tribal organization that
20 receives a grant under this section may provide
21 matching funds through any of the following Federal
22 programs, or through another source:

23 “(A) The Tribal College and University es-
24 sential community facilities program established
25 under section 306(a)(25) of the Consolidated

1 Farm and Rural Development Act (7 U.S.C.
2 1926(a)(25)).

3 “(B) The Native Hawaiian and Alaska Na-
4 tive serving institutions education grants pro-
5 gram established under section 1419B of the
6 National Agricultural Research, Extension, and
7 Teaching Policy Act of 1977 (7 U.S.C. 3156).

8 “(C) The Impact Aid program established
9 under title VII of the Elementary and Sec-
10 ondary Education Act of 1965 (20 U.S.C. 7701
11 et seq.).

12 “(D) The Bureau of Indian Affairs Facili-
13 ties Improvement and Repair program.

14 “(E) The Bureau of Indian Affairs Re-
15 placement School Construction program.

16 “(f) SUPPLEMENT NOT SUPPLANT.—Funds made
17 available under this part shall be used to supplement, and
18 not supplant, other Federal and State funds available to
19 carry out the activities supported under this part.

20 “(g) TECHNICAL ASSISTANCE AND ADMINISTRATIVE
21 COSTS.—The Secretary may reserve not more than 3 per-
22 cent of funds appropriated to carry out this part for the
23 administrative costs of this part and to provide technical
24 assistance to States, local educational agencies, Indian

1 tribes, and tribal organizations concerning best practices
2 in carrying out qualified projects.

3 “(h) REPORTING REQUIREMENTS.—Not later than 1
4 year after funds are appropriated to carry out this part,
5 and every 2 years thereafter, the Secretary shall prepare
6 and submit to the appropriate committees of Congress a
7 report on the effect of the qualified projects supported
8 under this part on improving academic achievement.

9 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to carry out this part
11 not less than \$100,000,000 for fiscal year 2018 and each
12 succeeding fiscal year.”.

13 **“PART D—CAREER AND TECHNICAL EDUCATION**
14 **FACILITIES**

15 **“SEC. 5401. DEFINITIONS.**

16 “In this part:

17 “(1) CAREER AND TECHNICAL EDUCATION.—

18 The term ‘career and technical education’ has the
19 meaning given the term in section 3 of the Carl D.
20 Perkins Career and Technical Education Act of
21 2006 (20 U.S.C. 2302).

22 “(2) JUNIOR OR COMMUNITY COLLEGE.—The
23 term ‘junior or community college’ includes—

24 “(A) a junior or community college, as
25 that term is defined in section 312(f) of the

1 Higher Education Act of 1965 (20 U.S.C.
2 1058(f));

3 “(B) an institution of higher education (as
4 defined in section 101 of such Act (20 U.S.C.
5 1001)) that awards a significant number of de-
6 grees and certificates, as determined by the
7 Secretary, that are not—

8 “(i) baccalaureate degrees (or an
9 equivalent); or

10 “(ii) masters, professional, or other
11 advanced degrees; and

12 “(C) an institution of higher education de-
13 scribed in section 101(b) of the Higher Edu-
14 cation Act of 1965 (20 U.S.C. 1001(b)) that
15 provides programs that are not more than 2
16 years.

17 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-
18 tity’ means—

19 “(A) an eligible institution;

20 “(B) a junior or community college;

21 “(C) a local educational agency;

22 “(D) an Indian tribe;

23 “(E) a tribal organization; or

24 “(F) another entity determined appro-
25 priate by the Secretary.

1 “(4) ELIGIBLE INSTITUTION.—The term ‘eligi-
2 ble institution’ means any of the following:

3 “(A) An Alaska Native-serving institution
4 or a Native Hawaiian-serving institution (as de-
5 fined in section 317 of the Higher Education
6 Act of 1965 (20 U.S.C. 1059d)), a Native
7 American-serving, nontribal institution (as de-
8 fined in section 319 of the Higher Education
9 Act of 1965 (20 U.S.C. 1059f)), or an Asian
10 American and Native American Pacific Is-
11 lander-serving institution (as defined in section
12 320 of the Higher Education Act of 1965 (20
13 U.S.C. 1059g)).

14 “(B) A Tribal College or University, as de-
15 fined in section 316 of the Higher Education
16 Act of 1965 (20 U.S.C. 1059c).

17 “(C) A 1890 Institution, as defined in sec-
18 tion 2 of the Agricultural Research, Extension,
19 and Education Reform Act of 1998 (7 U.S.C.
20 7601).

21 “(D) A 1994 Institution, as defined in sec-
22 tion 2 of the Agricultural Research, Extension,
23 and Education Reform Act of 1998 (7 U.S.C.
24 7601).

1 “(E) A Hispanic-serving agricultural col-
2 lege or university, as defined in section 1404 of
3 the National Agricultural Research, Extension,
4 and Teaching Policy Act of 1977 (7 U.S.C.
5 3103).

6 “(5) INDIAN TRIBE.—The term ‘Indian tribe’
7 has the meaning given the term in section 4 of the
8 Indian Self-Determination and Education Assistance
9 Act (25 U.S.C. 5304).

10 “(6) QUALIFIED PROJECT.—The term ‘qualified
11 project’—

12 “(A) means the modernization, renovation,
13 or repair of a facility that will be used to im-
14 prove the quality and availability of science,
15 technology, engineering, mathematics, or career
16 and technical education instruction to students,
17 and that may include—

18 “(i) improving the energy efficiency of
19 the facility;

20 “(ii) improving the cost-effectiveness
21 of the facility in delivering quality edu-
22 cation;

23 “(iii) improving student, faculty, and
24 staff health and safety at the facility;

1 “(iv) improving, installing, or upgrad-
2 ing educational technology infrastructure;

3 “(v) retrofitting an existing building
4 for career and technical education pur-
5 poses; and

6 “(vi) a one-time repair of serviceable
7 equipment at the facility, or replacement of
8 equipment at the facility that is at the end
9 of its serviceable lifespan, that will be used
10 to further educational outcomes; and

11 “(B) does not include new construction or
12 the payment of routine maintenance costs.

13 “(7) TRIBAL ORGANIZATION.—The term ‘tribal
14 organization’ has the meaning given the term in sec-
15 tion 658P of the Child Care and Development Block
16 Grant Act of 1990 (42 U.S.C. 9858n).

17 **“SEC. 5402. CAREER AND TECHNICAL EDUCATION FACILI-
18 TIES IMPROVEMENT.**

19 “(a) PROGRAM AUTHORIZED.—From amounts ap-
20 propriated to carry out this part, the Secretary shall carry
21 out a program to improve career and technical education
22 facilities by—

23 “(1) awarding grants to eligible entities to en-
24 able the eligible entities to carry out qualified
25 projects;

1 “(2) guaranteeing loans made to eligible entities
2 for qualified projects; or

3 “(3) making payments of interest on bonds,
4 loans, or other financial instruments (other than a
5 refinancing) that are issued to eligible entities for
6 qualified projects.

7 “(b) APPLICATION.—An eligible entity that desires to
8 receive a grant, loan guarantee, or payment of interest
9 under this part shall submit an application to the Sec-
10 retary at such a time, in such a manner, and containing
11 such information as the Secretary may require. The appli-
12 cation shall include—

13 “(1) a detailed description of the qualified
14 project;

15 “(2) in the case of a qualified project described
16 in section 5401(6)(A)(vi), a description of the edu-
17 cational outcomes to be furthered by the one-time
18 repair of serviceable equipment or replacement of
19 equipment;

20 “(3) an indication as to whether the eligible en-
21 tity prefers to receive a grant, loan guarantee, or
22 payment of interest;

23 “(4) a description of the need for the qualified
24 project;

1 “(5) a description of how the eligible entity will
2 ensure that the qualified project will be adequately
3 maintained;

4 “(6) a description of how the qualified project
5 will improve instruction and educational outcomes at
6 the facility, including any opportunities to integrate
7 project activities within the curriculum of a school or
8 institution;

9 “(7) a description of how the facility supported
10 by the qualified project will be used for providing
11 educational services in science, technology, engineer-
12 ing, mathematics, or career and technical education;

13 “(8) a description of how the eligible entity will
14 describe how the modernization, renovation, or re-
15 pair supported by the qualified project meets Lead-
16 ership in Energy and Environmental Design
17 (LEED) building rating standards, Energy Star
18 standards, Collaborative for High Performance
19 Schools (CHPS) criteria, Green Building Initiative
20 environmental design and rating standards (Green
21 Globes), the Living Building Challenge certification
22 standards, or equivalent standards adopted by enti-
23 ties with jurisdiction over or related to the eligible
24 entity;

1 “(9) a description of the fiscal capacity of the
2 eligible entity;

3 “(10) the percentage of students enrolled in the
4 eligible entity or a school or institution served by the
5 eligible entity to be served by the qualified project
6 who are from low-income families;

7 “(11) in the case of a qualified project at a fa-
8 cility that is used by students in a secondary school,
9 the secondary school graduation rates; and

10 “(12) such additional information and assur-
11 ances as the Secretary may require.

12 “(c) SUPPLEMENT NOT SUPPLANT.—Funds made
13 available under this part shall be used to supplement, and
14 not supplant, other Federal and State funds available to
15 carry out the activities supported under this part.

16 “(d) TECHNICAL ASSISTANCE AND ADMINISTRATIVE
17 COSTS.—The Secretary may reserve not more than 3 per-
18 cent of funds appropriated under subsection (g) for the
19 administrative costs of this part and to provide technical
20 assistance to eligible entities concerning best practices in
21 school facility renovation, repair, and modernization.

22 “(e) REPORTING REQUIREMENTS.—Not later than 1
23 year after funds are appropriated to carry out this part,
24 and every 2 years thereafter, the Secretary shall prepare
25 and submit to the appropriate committees of Congress a

1 report on the effect of the qualified projects supported
 2 under this part on improving academic achievement.

3 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
 4 are authorized to be appropriated to carry out this part
 5 not less than \$100,000,000 for fiscal year 2018 and each
 6 succeeding fiscal year.”.

7 (b) CONFORMING AMENDMENTS.—The table of con-
 8 tents in section 2 of the Elementary and Secondary Edu-
 9 cation Act of 1965 is amended—

10 (1) by redesignating the item relating to part C
 11 of title V as part E of title V;

12 (2) by redesignating the items relating to sec-
 13 tions 5301 and 5302 as 5501 and 5502, respec-
 14 tively; and

15 (3) by inserting before the item relating to part
 16 E of title V, as so redesignated, the following:

“PART C—STEM EDUCATION FACILITIES

“Sec. 5301. Definitions.

“Sec. 5302. STEM education facilities improvement.

“PART D—CAREER AND TECHNICAL EDUCATION FACILITIES”

“Sec. 5401. Definitions.

“Sec. 5402. Career and technical facilities improvement.”.

