# S. 1372

To amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes.

### IN THE SENATE OF THE UNITED STATES

July 14, 2011

Mr. Reed (for himself, Mr. Kirk, Mr. Bingaman, Mr. Cardin, Mr. Durbin, Mrs. Gillibrand, Mr. Kerry, Mr. Lautenberg, Ms. Mikulski, Mrs. Murray, Mr. Sanders, and Mr. Whitehouse) 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 regarding environmental education, 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; TABLE OF CONTENTS.
  - 4 (a) Short Title.—This Act may be cited as the
  - 5 "No Child Left Inside Act of 2011".
  - 6 (b) Table of Contents.—The table of contents for
  - 7 this Act is as follows:
    - Sec. 1. Short title; table of contents.
    - Sec. 2. References.

Sec. 3. Authorization of appropriations.

#### TITLE I—ENVIRONMENTAL LITERACY PLANS

Sec. 101. Development, approval, and implementation of State environmental literacy plans.

## TITLE II—ESTABLISHMENT OF ENVIRONMENTAL EDUCATION PROFESSIONAL DEVELOPMENT GRANT PROGRAMS

Sec. 201. Environmental education professional development grant programs.

## TITLE III—ENVIRONMENTAL EDUCATION GRANT PROGRAM TO HELP BUILD NATIONAL CAPACITY

Sec. 301. Environmental education grant program to help build national capacity.

#### 1 SEC. 2. REFERENCES.

- 2 Except as otherwise specifically provided, whenever in
- 3 this Act an amendment or repeal is expressed in terms
- 4 of an amendment to, or a repeal of, a section or other
- 5 provision, the reference shall be considered to be made to
- 6 a section or other provision of the Elementary and Sec-
- 7 ondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

#### 8 SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

- 9 (a) AUTHORIZATION.—There are authorized to be ap-
- 10 propriated to carry out section 5622(g) and part E of title
- 11 II of the Elementary and Secondary Education Act of
- 12 1965, such sums as may be necessary for fiscal year 2012
- 13 and each of the 4 succeeding fiscal years.
- 14 (b) DISTRIBUTION.—With respect to any amount ap-
- 15 propriated under subsection (a) for a fiscal year—
- 16 (1) not more than 70 percent of such amount
- shall be used to carry out section 5622(g) of the El-

1	ementary and Secondary Education Act of 1965 for
2	such fiscal year; and
3	(2) not less than 30 percent of such amount
4	shall be used to carry out part E of title II of such
5	Act for such fiscal year.
6	TITLE I—ENVIRONMENTAL
7	LITERACY PLANS
8	SEC. 101. DEVELOPMENT, APPROVAL, AND IMPLEMENTA-
9	TION OF STATE ENVIRONMENTAL LITERACY
10	PLANS.
11	Part D of title V (20 U.S.C. 7201 et seq.) is amended
12	by adding at the end the following:
13	"Subpart 22—Environmental Literacy Plans
14	"SEC. 5621. ENVIRONMENTAL LITERACY PLAN REQUIRE-
15	MENTS.
16	"In order for any State educational agency, or a local
17	educational agency served by a State educational agency,
18	to receive grant funds, either directly or through participa-
19	tion in a partnership with a recipient of grant funds,
20	under this subpart or part E of title II, the State edu-
21	cational agency shall meet the requirements regarding an
22	environmental literacy plan under section 5622.
23	"SEC. 5622. STATE ENVIRONMENTAL LITERACY PLANS.
24	"(a) Submission of Plan.—

1	"(1) IN GENERAL.—Not later than 1 year after
2	the date of enactment of the No Child Left Inside
3	Act of 2011, a State educational agency subject to
4	the requirements of section 5621 shall, in consulta-
5	tion with State environmental agencies and State
6	natural resource agencies, and with input from the
7	public—
8	"(A) submit an environmental literacy plan
9	for prekindergarten through grade 12 to the
10	Secretary for peer review and approval that will
11	ensure that elementary and secondary school
12	students in the State are environmentally lit-
13	erate; and
14	"(B) begin the implementation of such
15	plan in the State.

- plan in the State.
- "(2) Existing plans.—A State may satisfy the requirement of paragraph (1)(A) by submitting to the Secretary for peer review an existing State plan that has been developed in cooperation with a State environmental or natural resource management agency, if such plan complies with this section.
- "(b) Plan Objectives.—A State environmental lit-22 eracy plan shall meet the following objectives:

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1	"(1) Prepare students to understand, analyze,
2	and address the major environmental challenges fac-
3	ing the students' State and the United States.
4	"(2) Provide field experiences as part of the
5	regular school curriculum and create programs that
6	contribute to healthy lifestyles through outdoor
7	recreation and sound nutrition.
8	"(3) Create opportunities for enhanced and on-
9	going professional development for teachers that im-
10	proves the teachers'—
11	"(A) environmental subject matter knowl-
12	edge; and
13	"(B) pedagogical skills in teaching about
14	environmental issues, including the use of—
15	"(i) interdisciplinary, field-based, and
16	research-based learning; and
17	"(ii) innovative technology in the
18	classroom.
19	"(c) Contents of Plan.—A State environmental
20	literacy plan shall include each of the following:
21	"(1) A description of how the State educational
22	agency will measure the environmental literacy of
23	students, including—
24	"(A) relevant State academic content
25	standards and content areas regarding environ-

1	mental education, and courses or subjects where
2	environmental education instruction will be in-
3	tegrated throughout the prekindergarten to
4	grade 12 curriculum; and
5	"(B) a description of the relationship of
6	the plan to the secondary school graduation re-
7	quirements of the State.
8	"(2) A description of programs for professional
9	development for teachers to improve the teachers'—
10	"(A) environmental subject matter knowl-
11	edge; and
12	"(B) pedagogical skills in teaching about
13	environmental issues, including the use of—
14	"(i) interdisciplinary, field-based, and
15	research-based learning; and
16	"(ii) innovative technology in the
17	classroom.
18	"(3) A description of how the State educational
19	agency will implement the plan, including securing
20	funding and other necessary support.
21	"(d) Plan Update.—The State environmental lit-
22	eracy plan shall be revised or updated by the State edu-
23	cational agency and submitted to the Secretary not less
24	often than every 5 years or as appropriate to reflect plan
25	modifications.

1	"(e) Peer Review and Secretarial Approval.—
2	The Secretary shall—
3	"(1) establish a peer review process to assist in
4	the review of State environmental literacy plans;
5	"(2) appoint individuals to the peer review
6	process who—
7	"(A) are representative of parents, teach-
8	ers, State educational agencies, State environ-
9	mental agencies, State natural resource agen-
10	cies, local educational agencies, and nongovern-
11	mental organizations; and
12	"(B) are familiar with national environ-
13	mental issues and the health and educational
14	needs of students;
15	"(3) include, in the peer review process, appro-
16	priate representatives from the Department of Com-
17	merce, Department of Interior, Department of En-
18	ergy, the Environmental Protection Agency, and
19	other appropriate Federal agencies, to provide envi-
20	ronmental expertise and background for evaluation
21	of the State environmental literacy plan;
22	"(4) approve a State environmental literacy
23	plan not later than 120 days after the plan's sub-
24	mission unless the Secretary determines that the

1	State environmental literacy plan does not meet the
2	requirements of this section;
3	"(5) immediately notify the State if the Sec-
4	retary determines that the State environmental lit-
5	eracy plan does not meet the requirements of this
6	section, and state the reasons for such determina-
7	tion;
8	"(6) not decline to approve a State environ-
9	mental literacy plan before—
10	"(A) offering the State an opportunity to
11	revise the State environmental literacy plan;
12	"(B) providing technical assistance in
13	order to assist the State to meet the require-
14	ments of this section; and
15	"(C) providing notice and an opportunity
16	for a hearing; and
17	"(7) have the authority to decline to approve a
18	State environmental literacy plan for not meeting
19	the requirements of this part, but shall not have the
20	authority to require a State, as a condition of ap-
21	proval of the State environmental literacy plan, to—
22	"(A) include in, or delete from, such State
23	environmental literacy plan 1 or more specific
24	elements of the State academic content stand-
25	ards under section 1111(b)(1); or

1	"(B) use specific academic assessment in
2	struments or items.
3	"(f) State Revisions.—The State educational
4	agency shall have the opportunity to revise a State envi
5	ronmental literacy plan if such revision is necessary to sat
6	isfy the requirements of this section.
7	"(g) Grants for Implementation.—
8	"(1) Program authorized.—From amounts
9	appropriated for this subsection, the Secretary shall
10	award grants, through allotments in accordance with
11	the regulations described in paragraph (2), to States
12	to enable the States to award subgrants, on a com
13	petitive basis, to local educational agencies and eligi
14	ble partnerships (as such term is defined in section
15	2502) to support the implementation of the State
16	environmental literacy plan.
17	"(2) Regulations.—The Secretary shall pro
18	mulgate regulations implementing the grant pro
19	gram under paragraph (1), which regulations shall
20	include the development of an allotment formula
21	that best achieves the purposes of this subpart.
22	"(3) Administrative expenses.—A State re
23	ceiving a grant under this subsection may use no
24	more than 2.5 percent of the grant funds for admin

istrative expenses.

1	"(h) Reporting.—
2	"(1) IN GENERAL.—Not later than 2 years
3	after approval of a State environmental literacy
4	plan, and every 2 years thereafter, the State edu-
5	cational agency shall submit to the Secretary a re-
6	port on the implementation of the State plan.
7	"(2) Report requirements.—The report re-
8	quired by this subsection shall be—
9	"(A) in the form specified by the Sec-
10	retary;
11	"(B) based on the State's ongoing evalua-
12	tion activities; and
13	"(C) made readily available to the public.".
14	TITLE II—ESTABLISHMENT OF
15	ENVIRONMENTAL EDU-
16	CATION PROFESSIONAL DE-
17	VELOPMENT GRANT PRO-
18	GRAMS
19	SEC. 201. ENVIRONMENTAL EDUCATION PROFESSIONAL
20	DEVELOPMENT GRANT PROGRAMS.
21	Title II (20 U.S.C. 6601 et seq.) is amended by add-
22	ing at the end the following:

1	"PART E-ENVIRONMENTAL EDUCATION PRO-
2	FESSIONAL DEVELOPMENT GRANT PRO-
3	GRAMS
4	"SEC. 2501. PURPOSE.
5	"The purpose of this part is to ensure the academic
6	achievement of students in environmental literacy through
7	the professional development of teachers and educators.
8	"SEC. 2502. GRANTS FOR ENHANCING EDUCATION
9	THROUGH ENVIRONMENTAL EDUCATION.
10	"(a) Definition of Eligible Partnership.—In
11	this section, the term 'eligible partnership' means a part-
12	nership that—
13	"(1) shall include a local educational agency;
14	and
15	"(2) may include—
16	"(A) the teacher training department of an
17	institution of higher education;
18	"(B) the environmental department of an
19	institution of higher education;
20	"(C) another local educational agency, a
21	public charter school, a public elementary
22	school or secondary school, or a consortium of
23	such schools;
24	"(D) a Federal, State, regional, or local
25	environmental or natural resource management
26	agency that has demonstrated effectiveness in

1	improving the quality of environmental edu-
2	cation teachers; or
3	"(E) a nonprofit organization that has
4	demonstrated effectiveness in improving the
5	quality of environmental education teachers.
6	"(b) Grants Authorized.—
7	"(1) Program authorized.—From amounts
8	appropriated for this subsection, the Secretary shall
9	award grants, through allotments in accordance with
10	the regulations described in paragraph (2), to States
11	whose State environmental literacy plan has been
12	approved under section 5622, to enable the States to
13	award subgrants under subsection (c).
14	"(2) REGULATIONS.—The Secretary shall pro-
15	mulgate regulations implementing the grant pro-
16	gram under paragraph (1), which regulations shall
17	include the development of an allotment formula
18	that best achieves the purposes of this subpart.
19	"(3) Administrative expenses.—A State re-
20	ceiving a grant under this subsection may use not
21	more than 2.5 percent of the grant funds for admin-
22	istrative expenses.
23	"(c) Subgrants Authorized.—
24	"(1) Subgrants to eligible partner-
25	SHIPS.—From amounts made available to a State

- educational agency under subsection (b)(1), the
  State educational agency shall award subgrants, on
  a competitive basis, to eligible partnerships serving
  the State, to enable the eligible partnerships to carry
  out the authorized activities described in subsection
  (e) consistent with the approved State environmental
  literacy plan.
  - "(2) DURATION.—The State educational agency shall award each subgrant under this part for a period of not more than 3 years beginning on the date of approval of the State's environmental literacy plan under section 5622.
  - "(3) SUPPLEMENT, NOT SUPPLANT.—Funds provided to an eligible partnership under this part shall be used to supplement, and not supplant, funds that would otherwise be used for activities authorized under this part.

### 18 "(d) Application Requirements.—

"(1) IN GENERAL.—Each eligible partnership desiring a subgrant under this part shall submit an application to the State educational agency, at such time, in such manner, and accompanied by such information as the State educational agency may require.

1	"(2) Contents.—Each application submitted
2	under paragraph (1) shall include—
3	"(A) the results of a comprehensive assess-
4	ment of the teacher quality and professional de-
5	velopment needs, with respect to the teaching
6	and learning of environmental content;
7	"(B) an explanation of how the activities
8	to be carried out by the eligible partnership are
9	expected to improve student academic achieve-
10	ment and strengthen the quality of environ-
11	mental instruction;
12	"(C) a description of how the activities to
13	be carried out by the eligible partnership—
14	"(i) will be aligned with challenging
15	State academic content standards and stu-
16	dent academic achievement standards in
17	environmental education, to the extent
18	such standards exist, and with the State's
19	environmental literacy plan under section
20	5622; and
21	"(ii) will advance the teaching of
22	interdisciplinary courses that integrate the
23	study of natural, social, and economic sys-
24	tems and that include strong field compo-

1	nents in which students have the oppor-
2	tunity to directly experience nature;
3	"(D) a description of how the activities to
4	be carried out by the eligible partnership will
5	ensure that teachers are trained in the use of
6	field-based or service learning to enable the
7	teachers—
8	"(i) to use the local environment and
9	community as a resource; and
10	"(ii) to enhance student under-
11	standing of the environment and academic
12	achievement;
13	"(E) a description of—
14	"(i) how the eligible partnership will
15	carry out the authorized activities de-
16	scribed in subsection (e); and
17	"(ii) the eligible partnership's evalua-
18	tion and accountability plan described in
19	subsection (f); and
20	"(F) a description of how the eligible part-
21	nership will continue the activities funded under
22	this part after the grant period has expired.
23	"(e) AUTHORIZED ACTIVITIES.—An eligible partner-
24	ship shall use the subgrant funds provided under this part

1	for 1 or more of the following activities related to elemen-
2	tary schools or secondary schools:
3	"(1) Creating opportunities for enhanced and
4	ongoing professional development of teachers that
5	improves the environmental subject matter knowl-
6	edge of such teachers.
7	"(2) Creating opportunities for enhanced and
8	ongoing professional development of teachers that
9	improves teachers' pedagogical skills in teaching
10	about the environment and environmental issues, in-
11	cluding in the use of—
12	"(A) interdisciplinary, research-based, and
13	field-based learning; and
14	"(B) innovative technology in the class-
15	room.
16	"(3) Establishing and operating environmental
17	education summer workshops or institutes, including
18	follow-up training, for elementary and secondary
19	school teachers to improve their pedagogical skills
20	and subject matter knowledge for the teaching of en-
21	vironmental education.
22	"(4) Developing or redesigning more rigorous
23	environmental education curricula that—
24	"(A) are aligned with challenging State
25	academic content standards in environmental

- education, to the extent such standards exist, and with the State environmental literacy plan under section 5622; and
  - "(B) advance the teaching of interdisciplinary courses that integrate the study of natural, social, and economic systems and that include strong field components.
    - "(5) Designing programs to prepare teachers at a school to provide mentoring and professional development to other teachers at such school to improve teacher environmental education subject matter and pedagogical skills.
    - "(6) Establishing and operating programs to bring teachers into contact with working professionals in environmental fields to expand such teachers' subject matter knowledge of, and research in, environmental issues.
    - "(7) Creating initiatives that seek to incorporate environmental education within teacher training programs or accreditation standards consistent with the State environmental literacy plan under section 5622.
    - "(8) Promoting outdoor environmental education activities as part of the regular school curriculum and schedule in order to further the knowl-

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- edge and professional development of teachers and
   help students directly experience nature.
- 3 "(f) EVALUATION AND ACCOUNTABILITY PLAN.—
- "(1) IN GENERAL.—Each eligible partnership receiving a subgrant under this part shall develop an evaluation and accountability plan for activities assisted under this part that includes rigorous objectives that measure the impact of the activities.
- 9 "(2) CONTENTS.—The plan developed under 10 paragraph (1) shall include measurable objectives to 11 increase the number of teachers who participate in 12 environmental education content-based professional 13 development activities.
- "(g) REPORT.—Each eligible partnership receiving a subgrant under this part shall report annually, for each year of the subgrant, to the State educational agency regarding the eligible partnership's progress in meeting the objectives described in the accountability plan of the eligible partnership under subsection (f).".

1	TITLE III—ENVIRONMENTAL
2	EDUCATION GRANT PRO-
3	GRAM TO HELP BUILD NA-
4	TIONAL CAPACITY
5	SEC. 301. ENVIRONMENTAL EDUCATION GRANT PROGRAM
6	TO HELP BUILD NATIONAL CAPACITY.
7	Part D of title V (20 U.S.C. 7201 et seq.) (as amend-
8	ed by section 101) is further amended by adding at the
9	end the following:
10	"Subpart 23—Environmental Education Grant
11	Program
12	"SEC. 5631. PURPOSES.
13	"The purposes of this subpart are—
14	"(1) to prepare children to understand and ad-
15	dress major environmental challenges facing the
16	United States; and
17	"(2) to strengthen environmental education as
18	an integral part of the elementary school and sec-
19	ondary school curriculum.
20	"SEC. 5632. GRANT PROGRAM AUTHORIZED.
21	"(a) Definition of Eligible Partnership.—In
22	this section, the term 'eligible partnership' means a part-
23	nership that—
24	"(1) shall include a local educational agency;
25	and

1	"(2) may include—
2	"(A) the teacher training department of an
3	institution of higher education;
4	"(B) the environmental department of an
5	institution of higher education;
6	"(C) another local educational agency, a
7	public charter school, a public elementary
8	school or secondary school, or a consortium of
9	such schools;
10	"(D) a Federal, State, regional, or local
11	environmental or natural resource management
12	agency, or park and recreation department,
13	that has demonstrated effectiveness, expertise,
14	and experience in the development of the insti-
15	tutional, financial, intellectual, or policy re-
16	sources needed to help the field of environ-
17	mental education become more effective and
18	widely practiced; and
19	"(E) a nonprofit organization that has
20	demonstrated effectiveness, expertise, and expe-
21	rience in the development of the institutional,
22	financial, intellectual, or policy resources needed
23	to help the field of environmental education be-
24	come more effective and widely practiced.
25	"(b) Grants Authorized —

1	"(1) In general.—The Secretary is authorized
2	to award grants, on a competitive basis, to eligible
3	partnerships to enable the eligible partnerships to
4	pay the Federal share of the costs of activities under
5	this subpart.
6	"(2) Duration.—Each grant under this sub-
7	part shall be for a period of not less than 1 year and
8	not more than 3 years.
9	"SEC. 5633. APPLICATIONS.
10	"Each eligible partnership desiring a grant under this
11	subpart shall submit to the Secretary an application that
12	contains—
13	"(1) a plan to initiate, expand, or improve envi-
14	ronmental education programs in order to make
15	progress toward meeting—
16	"(A) challenging State academic content
17	standards and student academic achievement
18	standards in environmental education, to the
19	extent such standards exist; and
20	"(B) academic standards that are aligned
21	with the State's environmental literacy plan
22	under section 5622; and
23	"(2) an evaluation and accountability plan for
24	activities assisted under this subpart that includes

1	rigorous objectives that measure the impact of ac-
2	tivities funded under this subpart.
3	"SEC. 5634. USE OF FUNDS.
4	"Grant funds made available under this subpart shall
5	be used for 1 or more of the following:
6	"(1) Developing and implementing State cur-
7	riculum frameworks for environmental education
8	that meet—
9	"(A) challenging State academic content
10	standards and student academic achievement
11	standards for environmental education, to the
12	extent such standards exist; and
13	"(B) academic standards that are aligned
14	with the State's environmental literacy plan
15	under section 5622.
16	"(2) Replicating or disseminating information
17	about proven and tested model environmental edu-
18	cation programs that—
19	"(A) use the environment as an integrating
20	theme or content throughout the curriculum; or
21	"(B) provide integrated, interdisciplinary
22	instruction about natural, social, and economic
23	systems along with field experience that pro-
24	vides students with opportunities to directly ex-
25	perience nature in ways designed to improve

1	students' overall academic performance, per-
2	sonal health (including addressing child obesity
3	issues), and understanding of nature.
4	"(3) Developing and implementing new ap-
5	proaches to advancing environmental education, and
6	to advancing the adoption and use of environmental
7	education content standards, at the State and local
8	levels.
9	"SEC. 5635. REPORTS.
10	"(a) Eligible Partnership Report.—In order to
11	continue receiving grant funds under this subpart after
12	the first year of a multiyear grant under this subpart, the
13	eligible partnership shall submit to the Secretary an an-
14	nual report that—
15	"(1) describes the activities assisted under this
16	subpart that were conducted during the preceding
17	year;
18	"(2) demonstrates that progress has been made
19	in helping schools to meet the State academic stand-
20	ards for environmental education described in sec-
21	tion $5634(1)$ ; and
22	"(3) describes the results of the eligible part-
23	nership's evaluation and accountability plan.
24	"(b) Report to Congress.—Not later than 2 years

25 after the date of enactment of the No Child Left Inside

1	Act of 2011 and annually thereafter, the Secretary shall
2	submit a report to Congress that—
3	"(1) describes the programs assisted under this
4	subpart;
5	"(2) documents the success of such programs in
6	improving national and State environmental edu-
7	cation capacity; and
8	"(3) makes such recommendations as the Sec-
9	retary determines appropriate for the continuation
10	and improvement of the programs assisted under
11	this subpart.
12	"SEC. 5636. ADMINISTRATIVE PROVISIONS.
13	"(a) Federal Share.—The Federal share of a
14	grant under this subpart shall not exceed—
15	"(1) 90 percent of the total costs of the activi-
16	ties assisted under the grant for the first year for
17	which the program receives assistance under this
18	subpart; and
19	"(2) 75 percent of such costs for each of the
20	second and third years.
21	"(b) Administrative Expenses.—Not more than
22	7.5 percent of the grant funds made available to an eligible

23 partnership under this subpart for any fiscal year may be

24 used for administrative expenses.

- 1 "(c) AVAILABILITY OF FUNDS.—Amounts made
- 2 available to the Secretary to carry out this subpart shall
- 3 remain available until expended.
- 4 "SEC. 5637. SUPPLEMENT, NOT SUPPLANT.
- 5 "Funds made available under this subpart shall be
- 6 used to supplement, and not supplant, any other Federal,
- 7 State, or local funds available for environmental education
- 8 activities.".

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