

112TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Mr. REED (for himself and Mr. KIRK) introduced the following bill; which was read twice and referred to the Committee on _____

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
17 shall be used to carry out section 5622(g) of the El-
18 ementary and Secondary Education Act of 1965 for
19 such fiscal year; and

1 (2) not less than 30 percent of such amount
2 shall be used to carry out part E of title II of such
3 Act for such fiscal year.

4 **TITLE I—ENVIRONMENTAL**
5 **LITERACY PLANS**

6 **SEC. 101. DEVELOPMENT, APPROVAL, AND IMPLEMENTA-**
7 **TION OF STATE ENVIRONMENTAL LITERACY**
8 **PLANS.**

9 Part D of title V (20 U.S.C. 7201 et seq.) is amended
10 by adding at the end the following:

11 **“Subpart 22—Environmental Literacy Plans**

12 **“SEC. 5621. ENVIRONMENTAL LITERACY PLAN REQUIRE-**
13 **MENTS.**

14 “In order for any State educational agency, or a local
15 educational agency served by a State educational agency,
16 to receive grant funds, either directly or through participa-
17 tion in a partnership with a recipient of grant funds,
18 under this subpart or part E of title II, the State edu-
19 cational agency shall meet the requirements regarding an
20 environmental literacy plan under section 5622.

21 **“SEC. 5622. STATE ENVIRONMENTAL LITERACY PLANS.**

22 “(a) SUBMISSION OF PLAN.—

23 “(1) IN GENERAL.—Not later than 1 year after
24 the date of enactment of the No Child Left Inside
25 Act of 2011, a State educational agency subject to

1 the requirements of section 5621 shall, in consulta-
2 tion with State environmental agencies and State
3 natural resource agencies, and with input from the
4 public—

5 “(A) submit an environmental literacy plan
6 for prekindergarten through grade 12 to the
7 Secretary for peer review and approval that will
8 ensure that elementary and secondary school
9 students in the State are environmentally lit-
10 erate; and

11 “(B) begin the implementation of such
12 plan in the State.

13 “(2) EXISTING PLANS.—A State may satisfy
14 the requirement of paragraph (1)(A) by submitting
15 to the Secretary for peer review an existing State
16 plan that has been developed in cooperation with a
17 State environmental or natural resource manage-
18 ment agency, if such plan complies with this section.

19 “(b) PLAN OBJECTIVES.—A State environmental lit-
20 eracy plan shall meet the following objectives:

21 “(1) Prepare students to understand, analyze,
22 and address the major environmental challenges fac-
23 ing the students’ State and the United States.

24 “(2) Provide field experiences as part of the
25 regular school curriculum and create programs that

1 contribute to healthy lifestyles through outdoor
2 recreation and sound nutrition.

3 “(3) Create opportunities for enhanced and on-
4 going professional development for teachers that im-
5 proves the teachers’—

6 “(A) environmental subject matter knowl-
7 edge; and

8 “(B) pedagogical skills in teaching about
9 environmental issues, including the use of—

10 “(i) interdisciplinary, field-based, and
11 research-based learning; and

12 “(ii) innovative technology in the
13 classroom.

14 “(c) CONTENTS OF PLAN.—A State environmental
15 literacy plan shall include each of the following:

16 “(1) A description of how the State educational
17 agency will measure the environmental literacy of
18 students, including—

19 “(A) relevant State academic content
20 standards and content areas regarding environ-
21 mental education, and courses or subjects where
22 environmental education instruction will be in-
23 tegrated throughout the prekindergarten to
24 grade 12 curriculum; and

1 “(B) a description of the relationship of
2 the plan to the secondary school graduation re-
3 quirements of the State.

4 “(2) A description of programs for professional
5 development for teachers to improve the teachers’—

6 “(A) environmental subject matter knowl-
7 edge; and

8 “(B) pedagogical skills in teaching about
9 environmental issues, including the use of—

10 “(i) interdisciplinary, field-based, and
11 research-based learning; and

12 “(ii) innovative technology in the
13 classroom.

14 “(3) A description of how the State educational
15 agency will implement the plan, including securing
16 funding and other necessary support.

17 “(d) PLAN UPDATE.—The State environmental lit-
18 eracy plan shall be revised or updated by the State edu-
19 cational agency and submitted to the Secretary not less
20 often than every 5 years or as appropriate to reflect plan
21 modifications.

22 “(e) PEER REVIEW AND SECRETARIAL APPROVAL.—
23 The Secretary shall—

24 “(1) establish a peer review process to assist in
25 the review of State environmental literacy plans;

1 “(2) appoint individuals to the peer review
2 process who—

3 “(A) are representative of parents, teach-
4 ers, State educational agencies, State environ-
5 mental agencies, State natural resource agen-
6 cies, local educational agencies, and nongovern-
7 mental organizations; and

8 “(B) are familiar with national environ-
9 mental issues and the health and educational
10 needs of students;

11 “(3) include, in the peer review process, appro-
12 priate representatives from the Department of Com-
13 merce, Department of Interior, Department of En-
14 ergy, the Environmental Protection Agency, and
15 other appropriate Federal agencies, to provide envi-
16 ronmental expertise and background for evaluation
17 of the State environmental literacy plan;

18 “(4) approve a State environmental literacy
19 plan not later than 120 days after the plan’s sub-
20 mission unless the Secretary determines that the
21 State environmental literacy plan does not meet the
22 requirements of this section;

23 “(5) immediately notify the State if the Sec-
24 retary determines that the State environmental lit-
25 eracy plan does not meet the requirements of this

1 section, and state the reasons for such determina-
2 tion;

3 “(6) not decline to approve a State environ-
4 mental literacy plan before—

5 “(A) offering the State an opportunity to
6 revise the State environmental literacy plan;

7 “(B) providing technical assistance in
8 order to assist the State to meet the require-
9 ments of this section; and

10 “(C) providing notice and an opportunity
11 for a hearing; and

12 “(7) have the authority to decline to approve a
13 State environmental literacy plan for not meeting
14 the requirements of this part, but shall not have the
15 authority to require a State, as a condition of ap-
16 proval of the State environmental literacy plan, to—

17 “(A) include in, or delete from, such State
18 environmental literacy plan 1 or more specific
19 elements of the State academic content stand-
20 ards under section 1111(b)(1); or

21 “(B) use specific academic assessment in-
22 struments or items.

23 “(f) STATE REVISIONS.—The State educational
24 agency shall have the opportunity to revise a State envi-

1 ronmental literacy plan if such revision is necessary to sat-
2 isfy the requirements of this section.

3 “(g) GRANTS FOR IMPLEMENTATION.—

4 “(1) PROGRAM AUTHORIZED.—From amounts
5 appropriated for this subsection, the Secretary shall
6 award grants, through allotments in accordance with
7 the regulations described in paragraph (2), to States
8 to enable the States to award subgrants, on a com-
9 petitive basis, to local educational agencies and eligi-
10 ble partnerships (as such term is defined in section
11 2502) to support the implementation of the State
12 environmental literacy plan.

13 “(2) REGULATIONS.—The Secretary shall pro-
14 mulgate regulations implementing the grant pro-
15 gram under paragraph (1), which regulations shall
16 include the development of an allotment formula
17 that best achieves the purposes of this subpart.

18 “(3) ADMINISTRATIVE EXPENSES.—A State re-
19 ceiving a grant under this subsection may use not
20 more than 2.5 percent of the grant funds for admin-
21 istrative expenses.

22 “(h) REPORTING.—

23 “(1) IN GENERAL.—Not later than 2 years
24 after approval of a State environmental literacy
25 plan, and every 2 years thereafter, the State edu-

1 cational agency shall submit to the Secretary a re-
 2 port on the implementation of the State plan.

3 “(2) REPORT REQUIREMENTS.—The report re-
 4 quired by this subsection shall be—

5 “(A) in the form specified by the Sec-
 6 retary;

7 “(B) based on the State’s ongoing evalua-
 8 tion activities; and

9 “(C) made readily available to the public.”.

10 **TITLE II—ESTABLISHMENT OF**
 11 **ENVIRONMENTAL EDUCATION**
 12 **PROFESSIONAL DEVELOPMENT GRANT PRO-**
 13 **GRAMS**

15 **SEC. 201. ENVIRONMENTAL EDUCATION PROFESSIONAL**
 16 **DEVELOPMENT GRANT PROGRAMS.**

17 Title II (20 U.S.C. 6601 et seq.) is amended by add-
 18 ing at the end the following:

19 **“PART E—ENVIRONMENTAL EDUCATION PRO-**
 20 **FESSIONAL DEVELOPMENT GRANT PRO-**
 21 **GRAMS**

22 **“SEC. 2501. PURPOSE.**

23 “The purpose of this part is to ensure the academic
 24 achievement of students in environmental literacy through
 25 the professional development of teachers and educators.

1 **“SEC. 2502. GRANTS FOR ENHANCING EDUCATION**
2 **THROUGH ENVIRONMENTAL EDUCATION.**

3 “(a) DEFINITION OF ELIGIBLE PARTNERSHIP.—In
4 this section, the term ‘eligible partnership’ means a part-
5 nership that—

6 “(1) shall include a local educational agency;

7 and

8 “(2) may include—

9 “(A) the teacher training department of an
10 institution of higher education;

11 “(B) the environmental department of an
12 institution of higher education;

13 “(C) another local educational agency, a
14 public charter school, a public elementary
15 school or secondary school, or a consortium of
16 such schools;

17 “(D) a Federal, State, regional, or local
18 environmental or natural resource management
19 agency that has demonstrated effectiveness in
20 improving the quality of environmental edu-
21 cation teachers; or

22 “(E) a nonprofit organization that has
23 demonstrated effectiveness in improving the
24 quality of environmental education teachers.

25 “(b) GRANTS AUTHORIZED.—

1 “(1) PROGRAM AUTHORIZED.—From amounts
2 appropriated for this subsection, the Secretary shall
3 award grants, through allotments in accordance with
4 the regulations described in paragraph (2), to States
5 whose State environmental literacy plan has been
6 approved under section 5622, to enable the States to
7 award subgrants under subsection (c).

8 “(2) REGULATIONS.—The Secretary shall pro-
9 mulgate regulations implementing the grant pro-
10 gram under paragraph (1), which regulations shall
11 include the development of an allotment formula
12 that best achieves the purposes of this subpart.

13 “(3) ADMINISTRATIVE EXPENSES.—A State re-
14 ceiving a grant under this subsection may use not
15 more than 2.5 percent of the grant funds for admin-
16 istrative expenses.

17 “(c) SUBGRANTS AUTHORIZED.—

18 “(1) SUBGRANTS TO ELIGIBLE PARTNER-
19 SHIPS.—From amounts made available to a State
20 educational agency under subsection (b)(1), the
21 State educational agency shall award subgrants, on
22 a competitive basis, to eligible partnerships serving
23 the State, to enable the eligible partnerships to carry
24 out the authorized activities described in subsection

1 (e) consistent with the approved State environmental
2 literacy plan.

3 “(2) DURATION.—The State educational agency
4 shall award each subgrant under this part for a pe-
5 riod of not more than 3 years beginning on the date
6 of approval of the State’s environmental literacy
7 plan under section 5622.

8 “(3) SUPPLEMENT, NOT SUPPLANT.—Funds
9 provided to an eligible partnership under this part
10 shall be used to supplement, and not supplant, funds
11 that would otherwise be used for activities author-
12 ized under this part.

13 “(d) APPLICATION REQUIREMENTS.—

14 “(1) IN GENERAL.—Each eligible partnership
15 desiring a subgrant under this part shall submit an
16 application to the State educational agency, at such
17 time, in such manner, and accompanied by such in-
18 formation as the State educational agency may re-
19 quire.

20 “(2) CONTENTS.—Each application submitted
21 under paragraph (1) shall include—

22 “(A) the results of a comprehensive assess-
23 ment of the teacher quality and professional de-
24 velopment needs, with respect to the teaching
25 and learning of environmental content;

1 “(B) an explanation of how the activities
2 to be carried out by the eligible partnership are
3 expected to improve student academic achieve-
4 ment and strengthen the quality of environ-
5 mental instruction;

6 “(C) a description of how the activities to
7 be carried out by the eligible partnership—

8 “(i) will be aligned with challenging
9 State academic content standards and stu-
10 dent academic achievement standards in
11 environmental education, to the extent
12 such standards exist, and with the State’s
13 environmental literacy plan under section
14 5622; and

15 “(ii) will advance the teaching of
16 interdisciplinary courses that integrate the
17 study of natural, social, and economic sys-
18 tems and that include strong field compo-
19 nents in which students have the oppor-
20 tunity to directly experience nature;

21 “(D) a description of how the activities to
22 be carried out by the eligible partnership will
23 ensure that teachers are trained in the use of
24 field-based or service learning to enable the
25 teachers—

1 “(i) to use the local environment and
2 community as a resource; and

3 “(ii) to enhance student under-
4 standing of the environment and academic
5 achievement;

6 “(E) a description of—

7 “(i) how the eligible partnership will
8 carry out the authorized activities de-
9 scribed in subsection (e); and

10 “(ii) the eligible partnership’s evalua-
11 tion and accountability plan described in
12 subsection (f); and

13 “(F) a description of how the eligible part-
14 nership will continue the activities funded under
15 this part after the grant period has expired.

16 “(e) AUTHORIZED ACTIVITIES.—An eligible partner-
17 ship shall use the subgrant funds provided under this part
18 for 1 or more of the following activities related to elemen-
19 tary schools or secondary schools:

20 “(1) Creating opportunities for enhanced and
21 ongoing professional development of teachers that
22 improves the environmental subject matter knowl-
23 edge of such teachers.

24 “(2) Creating opportunities for enhanced and
25 ongoing professional development of teachers that

1 improves teachers' pedagogical skills in teaching
2 about the environment and environmental issues, in-
3 cluding in the use of—

4 “(A) interdisciplinary, research-based, and
5 field-based learning; and

6 “(B) innovative technology in the class-
7 room.

8 “(3) Establishing and operating environmental
9 education summer workshops or institutes, including
10 follow-up training, for elementary and secondary
11 school teachers to improve their pedagogical skills
12 and subject matter knowledge for the teaching of en-
13 vironmental education.

14 “(4) Developing or redesigning more rigorous
15 environmental education curricula that—

16 “(A) are aligned with challenging State
17 academic content standards in environmental
18 education, to the extent such standards exist,
19 and with the State environmental literacy plan
20 under section 5622; and

21 “(B) advance the teaching of interdiscipli-
22 nary courses that integrate the study of nat-
23 ural, social, and economic systems and that in-
24 clude strong field components.

1 “(5) Designing programs to prepare teachers at
2 a school to provide mentoring and professional devel-
3 opment to other teachers at such school to improve
4 teacher environmental education subject matter and
5 pedagogical skills.

6 “(6) Establishing and operating programs to
7 bring teachers into contact with working profes-
8 sionals in environmental fields to expand such teach-
9 ers’ subject matter knowledge of, and research in,
10 environmental issues.

11 “(7) Creating initiatives that seek to incor-
12 porate environmental education within teacher train-
13 ing programs or accreditation standards consistent
14 with the State environmental literacy plan under
15 section 5622.

16 “(8) Promoting outdoor environmental edu-
17 cation activities as part of the regular school cur-
18 riculum and schedule in order to further the knowl-
19 edge and professional development of teachers and
20 help students directly experience nature.

21 “(f) EVALUATION AND ACCOUNTABILITY PLAN.—

22 “(1) IN GENERAL.—Each eligible partnership
23 receiving a subgrant under this part shall develop an
24 evaluation and accountability plan for activities as-

1 sisted under this part that includes rigorous objec-
2 tives that measure the impact of the activities.

3 “(2) CONTENTS.—The plan developed under
4 paragraph (1) shall include measurable objectives to
5 increase the number of teachers who participate in
6 environmental education content-based professional
7 development activities.

8 “(g) REPORT.—Each eligible partnership receiving a
9 subgrant under this part shall report annually, for each
10 year of the subgrant, to the State educational agency re-
11 garding the eligible partnership’s progress in meeting the
12 objectives described in the accountability plan of the eligi-
13 ble partnership under subsection (f).”.

14 **TITLE III—ENVIRONMENTAL**
15 **EDUCATION GRANT PRO-**
16 **GRAM TO HELP BUILD NA-**
17 **TIONAL CAPACITY**

18 **SEC. 301. ENVIRONMENTAL EDUCATION GRANT PROGRAM**

19 **TO HELP BUILD NATIONAL CAPACITY.**

20 Part D of title V (20 U.S.C. 7201 et seq.) (as amend-
21 ed by section 101) is further amended by adding at the
22 end the following:

1 **“Subpart 23—Environmental Education Grant**
2 **Program**

3 **“SEC. 5631. PURPOSES.**

4 “The purposes of this subpart are—

5 “(1) to prepare children to understand and ad-
6 dress major environmental challenges facing the
7 United States; and

8 “(2) to strengthen environmental education as
9 an integral part of the elementary school and sec-
10 ondary school curriculum.

11 **“SEC. 5632. GRANT PROGRAM AUTHORIZED.**

12 “(a) DEFINITION OF ELIGIBLE PARTNERSHIP.—In
13 this section, the term ‘eligible partnership’ means a part-
14 nership that—

15 “(1) shall include a local educational agency;
16 and

17 “(2) may include—

18 “(A) the teacher training department of an
19 institution of higher education;

20 “(B) the environmental department of an
21 institution of higher education;

22 “(C) another local educational agency, a
23 public charter school, a public elementary
24 school or secondary school, or a consortium of
25 such schools;

1 “(D) a Federal, State, regional, or local
2 environmental or natural resource management
3 agency, or park and recreation department,
4 that has demonstrated effectiveness, expertise,
5 and experience in the development of the insti-
6 tutional, financial, intellectual, or policy re-
7 sources needed to help the field of environ-
8 mental education become more effective and
9 widely practiced; and

10 “(E) a nonprofit organization that has
11 demonstrated effectiveness, expertise, and expe-
12 rience in the development of the institutional,
13 financial, intellectual, or policy resources needed
14 to help the field of environmental education be-
15 come more effective and widely practiced.

16 “(b) GRANTS AUTHORIZED.—

17 “(1) IN GENERAL.—The Secretary is authorized
18 to award grants, on a competitive basis, to eligible
19 partnerships to enable the eligible partnerships to
20 pay the Federal share of the costs of activities under
21 this subpart.

22 “(2) DURATION.—Each grant under this sub-
23 part shall be for a period of not less than 1 year and
24 not more than 3 years.

1 **“SEC. 5633. APPLICATIONS.**

2 “Each eligible partnership desiring a grant under this
3 subpart shall submit to the Secretary an application that
4 contains—

5 “(1) a plan to initiate, expand, or improve envi-
6 ronmental education programs in order to make
7 progress toward meeting—

8 “(A) challenging State academic content
9 standards and student academic achievement
10 standards in environmental education, to the
11 extent such standards exist; and

12 “(B) academic standards that are aligned
13 with the State’s environmental literacy plan
14 under section 5622; and

15 “(2) an evaluation and accountability plan for
16 activities assisted under this subpart that includes
17 rigorous objectives that measure the impact of ac-
18 tivities funded under this subpart.

19 **“SEC. 5634. USE OF FUNDS.**

20 “Grant funds made available under this subpart shall
21 be used for 1 or more of the following:

22 “(1) Developing and implementing State cur-
23 riculum frameworks for environmental education
24 that meet—

25 “(A) challenging State academic content
26 standards and student academic achievement

1 standards for environmental education, to the
2 extent such standards exist; and

3 “(B) academic standards that are aligned
4 with the State’s environmental literacy plan
5 under section 5622.

6 “(2) Replicating or disseminating information
7 about proven and tested model environmental edu-
8 cation programs that—

9 “(A) use the environment as an integrating
10 theme or content throughout the curriculum; or

11 “(B) provide integrated, interdisciplinary
12 instruction about natural, social, and economic
13 systems along with field experience that pro-
14 vides students with opportunities to directly ex-
15 perience nature in ways designed to improve
16 students’ overall academic performance, per-
17 sonal health (including addressing child obesity
18 issues), and understanding of nature.

19 “(3) Developing and implementing new ap-
20 proaches to advancing environmental education, and
21 to advancing the adoption and use of environmental
22 education content standards, at the State and local
23 levels.

1 **“SEC. 5635. REPORTS.**

2 “(a) ELIGIBLE PARTNERSHIP REPORT.—In order to
3 continue receiving grant funds under this subpart after
4 the first year of a multiyear grant under this subpart, the
5 eligible partnership shall submit to the Secretary an an-
6 nual report that—

7 “(1) describes the activities assisted under this
8 subpart that were conducted during the preceding
9 year;

10 “(2) demonstrates that progress has been made
11 in helping schools to meet the State academic stand-
12 ards for environmental education described in sec-
13 tion 5634(1); and

14 “(3) describes the results of the eligible part-
15 nership’s evaluation and accountability plan.

16 “(b) REPORT TO CONGRESS.—Not later than 2 years
17 after the date of enactment of the No Child Left Inside
18 Act of 2011 and annually thereafter, the Secretary shall
19 submit a report to Congress that—

20 “(1) describes the programs assisted under this
21 subpart;

22 “(2) documents the success of such programs in
23 improving national and State environmental edu-
24 cation capacity; and

25 “(3) makes such recommendations as the Sec-
26 retary determines appropriate for the continuation

1 and improvement of the programs assisted under
2 this subpart.

3 **“SEC. 5636. ADMINISTRATIVE PROVISIONS.**

4 “(a) FEDERAL SHARE.—The Federal share of a
5 grant under this subpart shall not exceed—

6 “(1) 90 percent of the total costs of the activi-
7 ties assisted under the grant for the first year for
8 which the program receives assistance under this
9 subpart; and

10 “(2) 75 percent of such costs for each of the
11 second and third years.

12 “(b) ADMINISTRATIVE EXPENSES.—Not more than
13 7.5 percent of the grant funds made available to an eligible
14 partnership under this subpart for any fiscal year may be
15 used for administrative expenses.

16 “(c) AVAILABILITY OF FUNDS.—Amounts made
17 available to the Secretary to carry out this subpart shall
18 remain available until expended.

19 **“SEC. 5637. SUPPLEMENT, NOT SUPPLANT.**

20 “Funds made available under this subpart shall be
21 used to supplement, and not supplant, any other Federal,
22 State, or local funds available for environmental education
23 activities.”.