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Read twice and referred to the Committee on Environment and Public Works

AN ACT

To reauthorize and enhance the National Environmental
Education Act, 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 “No Child Left Inside
3 Act of 2008”.

4 **SEC. 2. NATIONAL ENVIRONMENTAL EDUCATION ACT**
5 **AMENDMENTS.**

6 (a) DEFINITIONS.—Section 3 of the National Envi-
7 ronmental Education Act (20 U.S.C. 5502) is amended—

8 (1) in paragraph (12), by striking “and” at the
9 end;

10 (2) in paragraph (13), by striking the period at
11 the end and inserting a semicolon; and

12 (3) by adding at the end the following:

13 “(14) ‘principles of scientific research’ means
14 principles of research that—

15 “(A) apply rigorous, systematic, and objec-
16 tive methodology to obtain reliable and valid
17 knowledge relevant to education activities and
18 programs;

19 “(B) present findings and make claims
20 that are appropriate to, and supported by, the
21 methods that have been employed; and

22 “(C) include, appropriate to the research
23 being conducted—

24 “(i) use of systematic, empirical meth-
25 ods that draw on observation or experi-
26 ment;

1 “(ii) use of data analyses that are
2 adequate to support the general findings;

3 “(iii) reliance on measurements or ob-
4 servational methods that provide reliable
5 and generalizable findings;

6 “(iv) strong claims of causal relation-
7 ships, only with research designs that
8 eliminate plausible competing explanations
9 for observed results, such as, but not lim-
10 ited to, random-assignment experiments;

11 “(v) presentation of studies and meth-
12 ods in sufficient detail and clarity to allow
13 for replication or, at a minimum, to offer
14 the opportunity to build systematically on
15 the findings of the research;

16 “(vi) acceptance by a peer-reviewed
17 journal or critique by a panel of inde-
18 pendent experts through a comparably rig-
19 orous, objective, and scientific review; and

20 “(vii) consistency of findings across
21 multiple studies or sites to support the
22 generality of results and conclusions;

23 “(15) ‘scientifically valid research’ includes ap-
24 plied research, basic research, and field-initiated re-
25 search in which the rationale, design, and interpreta-

1 tion are soundly developed in accordance with prin-
2 ciples of scientific research;

3 “(16) ‘State’ has the meaning given such term
4 in section 9101 of the Elementary and Secondary
5 Education Act of 1965; and

6 “(17) ‘State educational agency’ has the mean-
7 ing given such term in section 9101 of the Elemen-
8 tary and Secondary Education Act of 1965.”.

9 (b) ENVIRONMENTAL EDUCATION AND TRAINING
10 PROGRAM.—Section 5 of the National Environmental
11 Education Act (20 U.S.C. 5504) is amended—

12 (1) in subsection (b)—

13 (A) in paragraph (1)—

14 (i) by inserting “creating opportuni-
15 ties for enhanced and ongoing professional
16 development and” before “classroom”; and

17 (ii) by inserting “(including inte-
18 grating scientifically valid research teach-
19 ing methods and technology-based teaching
20 methods into the curriculum)” after “prac-
21 tices”;

22 (B) in paragraph (3)—

23 (i) by striking “curriculum, including”
24 and inserting “curriculum (including”;

1 (ii) by striking “groups;” and insert-
2 ing “groups) which—”; and

3 (iii) by adding at the end the fol-
4 lowing:

5 “(A) are aligned with challenging State
6 and local academic content standards to the ex-
7 tent such standards exist; and

8 “(B) advance the teaching of interdiscipli-
9 nary courses that integrate the study of nat-
10 ural, social, and economic systems and that in-
11 clude strong field components;”;

12 (C) in paragraph (7), by striking “and fo-
13 rums;” and inserting “forums, and bringing
14 teachers into contact with working professionals
15 in environmental fields to expand such teachers’
16 subject matter knowledge of, and research in,
17 environmental issues;”;

18 (D) in paragraph (8), by striking “; and”
19 and inserting “, including environmental edu-
20 cation distance learning programs for teachers
21 using curricula that are innovative, content-
22 based, and based on scientifically valid research
23 that is current as of the date of the program
24 involved;”;

1 (E) by redesignating paragraph (9) as
2 paragraph (13);

3 (F) by redesignating paragraphs (4)
4 through (8) as paragraphs (5) through (9), re-
5 spectively;

6 (G) by inserting after paragraph (3) the
7 following:

8 “(4) encouraging individuals traditionally
9 under-represented in environmental careers to pur-
10 sue postsecondary degrees in majors leading to such
11 careers;” and

12 (H) by inserting after paragraph (9) (as so
13 redesignated) the following:

14 “(10) establishment of programs to prepare
15 teachers at a school to provide environmental edu-
16 cation professional development to other teachers at
17 the school and programs to promote outdoor envi-
18 ronmental education activities as part of the regular
19 school curriculum and schedule in order to further
20 the knowledge and development of teachers and stu-
21 dents;

22 “(11) summer workshops or institutes, includ-
23 ing follow-up training, for elementary and secondary
24 school environmental education teachers;

1 “(12) encouraging mid-career environmental
2 professionals to pursue careers in environmental
3 education; and”; and

4 (2) in subsection (c)(1), by inserting “, in con-
5 sultation with the Secretary,” after “Administrator”.

6 (c) AUTHORIZATION.—Section 11(a) of the National
7 Environmental Education Act (20 U.S.C. 5510(a)) is
8 amended by striking “Act” and all that follows through
9 the period at the end and inserting “Act, except for section
10 11, \$14,000,000 for fiscal year 2009.”.

11 (d) NATIONAL CAPACITY ENVIRONMENTAL EDU-
12 CATION GRANT PROGRAM; ACCOUNTABILITY.—The Na-
13 tional Environmental Education Act (20 U.S.C. 5501 et
14 seq.) is amended—

15 (1) by redesignating section 11 as section 13;
16 and

17 (2) by inserting after section 10 the following:

18 **“SEC. 11. NATIONAL CAPACITY ENVIRONMENTAL EDU-
19 CATION GRANT PROGRAM.**

20 “(a) GRANTS AUTHORIZED.—

21 “(1) IN GENERAL.—The Secretary is authorized
22 to award grants, on a competitive basis, to nonprofit
23 organizations, State educational agencies, local edu-
24 cational agencies, municipalities, or institutions of
25 higher education that have demonstrated expertise

1 and experience in the development of the institu-
2 tional, financial, intellectual, or policy resources
3 needed to help the field of environmental education
4 become more effective and widely practiced. Not-
5 withstanding any other provision of this section, a
6 State educational agency, a local educational agency,
7 an institution of higher education, a municipality, or
8 a not-for-profit organization may use funds provided
9 under this section to coordinate with any program or
10 unit operated by a Federal Natural Resource Man-
11 agement Agency to carry out environmental edu-
12 cation programs based on the full range of the re-
13 sources and mission of the Agency.

14 “(2) DURATION.—The Secretary shall award
15 each grant under this section for a period of not less
16 than 1 year and not more than 3 years.

17 “(b) USE OF FUNDS.—Grant funds made available
18 under this section shall be used for 1 or more of the fol-
19 lowing:

20 “(1) Developing and implementing challenging
21 State academic content standards, student academic
22 achievement standards, and State curriculum frame-
23 works in environmental education, including the
24 need to balance conservation of the environment

1 with the development of the Nation’s energy re-
2 sources.

3 “(2) Replicating or disseminating information
4 about proven and tested model environmental edu-
5 cation programs that—

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

8 “(B) provide integrated, interdisciplinary
9 instruction about natural, social, and economic
10 systems along with field experience that pro-
11 vides students with opportunities to directly ex-
12 perience nature in ways designed to improve
13 overall academic performance, self-esteem, per-
14 sonal responsibility, community involvement,
15 personal health (including addressing child obe-
16 sity issues), or their understanding of nature;

17 “(C) provide integrated instruction on
18 waste reduction, reuse, recycling, and
19 composting programs and, when possible, pro-
20 mote such activities within the school; or

21 “(D) address issues of environmental jus-
22 tice, including policies and methods for elimi-
23 nating disparate enforcement of environmental
24 laws and regulations, including with respect to
25 low-income communities.

1 “(3) Developing and implementing new policy
2 approaches to environmental education, which shall
3 include a discussion of—

4 “(A) the benefits and costs to the environ-
5 ment and to consumers regarding increasing
6 the supply of energy produced in the United
7 States from—

8 “(i) oil and gas drilling;

9 “(ii) nuclear power;

10 “(iii) new coal technologies; and

11 “(iv) clean renewable and alternative
12 sources of energy, including wind, solar,
13 geothermal, hydropower, and advanced
14 biofuels; and

15 “(B) the best strategies for reducing en-
16 ergy consumption through an enhanced em-
17 phasis on efficiency and conservation.

18 “(4) Conducting studies of national significance
19 that—

20 “(A) evaluate the effectiveness of teaching
21 environmental education as a separate subject,
22 and as an integrating concept or theme;

23 “(B) evaluate the effectiveness of using en-
24 vironmental education in helping students im-
25 prove their assessment scores in mathematics,

1 reading or language arts, science, and the other
2 core academic subjects; or

3 “(C) evaluate ways to coordinate activities
4 under this Act with existing Federal science
5 teacher in-service training or professional devel-
6 opment programs.

7 “(5) Executing projects that advance wide-
8 spread State and local educational agency adoption
9 and use of environmental education content stand-
10 ards, including adoption and use of such standards
11 in textbook selection criteria.

12 “(6) Developing a State environmental literacy
13 plan that includes the following:

14 “(A) A description of how the State edu-
15 cational agency will measure the environmental
16 literacy of students, including—

17 “(i) relevant State academic content
18 standards and content areas regarding en-
19 vironmental education, and courses or sub-
20 jects where environmental education in-
21 struction will take place; and

22 “(ii) a description of the relationship
23 of the plan to the secondary school gradua-
24 tion requirements of the State.

1 “(B) A description of programs for profes-
2 sional development for teachers to improve the
3 teachers’—

4 “(i) environmental content knowledge;

5 “(ii) skill in teaching about environ-
6 mental issues; and

7 “(iii) field-based pedagogical skills.

8 “(C) A description of how the State edu-
9 cational agency will implement the plan, includ-
10 ing securing funding and other necessary sup-
11 port.

12 “(7) Developing evidence-based approaches to
13 build capacity to increase the number of elementary
14 and secondary environmental educators.

15 “(c) APPLICATIONS.—Each municipality, nonprofit
16 organization, State educational agency, local educational
17 agency, or institution of higher education desiring a grant
18 under this section shall submit to the Secretary an appli-
19 cation that contains a plan to initiate, expand, or improve
20 environmental education programs in order to make
21 progress toward meeting State standards for environ-
22 mental learning (to the extent such standards exist) and
23 environmental literacy and contains an evaluation and ac-
24 countability plan for activities assisted under this section
25 that includes rigorous objectives that measure the impact

1 of activities funded under this section. Such application
2 may describe how the applicant has partnered, or intends
3 to partner, with a State and local park and recreation de-
4 partment.

5 “(d) REQUIREMENTS.—

6 “(1) ANNUAL REPORT.—In order to continue
7 receiving grant funds under this section after the
8 first year of a multi-year grant under this section,
9 the grantee shall submit to the Secretary an annual
10 report that—

11 “(A) describes the activities assisted under
12 this section that were conducted during the pre-
13 ceding year;

14 “(B) describes the results of the grantee’s
15 evaluation and accountability plan; and

16 “(C) demonstrates that the grantee has
17 undertaken activities to accomplish at least one
18 of the following:

19 “(i) Responsibly preparing children to
20 understand and address major challenges
21 facing the United States, such as increas-
22 ing the supply of clean energy, climate
23 change, environmental health risks, and
24 environmental disaster and emergency pre-
25 paredness.

1 “(ii) Supporting systemic education
2 reform by strengthening environmental
3 education as an integral part of the ele-
4 mentary school and secondary school cur-
5 riculum.

6 “(iii) Helping ensure that all students
7 meet challenging State academic content
8 and student academic achievement stand-
9 ards in environmental learning.

10 “(iv) Supporting efforts to enable stu-
11 dents to engage in environmental edu-
12 cation.

13 “(v) Leveraging and expanding pri-
14 vate and public support for environmental
15 education partnerships at national, State,
16 and local levels.

17 “(vi) Awarding grants to initiate, ex-
18 pand, or improve environmental education
19 programs for elementary and secondary
20 students.

21 “(vii) Restoring and increasing field
22 experiences as part of the regular school
23 curriculum and schedule in order to im-
24 prove students’ overall academic perform-
25 ance, self-esteem, personal responsibility,

1 community involvement, personal health
2 (including addressing child obesity issues),
3 and understanding of nature.

4 “(2) ADMINISTRATIVE EXPENSES.—Not more
5 than 5 percent of the grant funds made available to
6 a nonprofit organization, State educational agency,
7 local educational agency, or institution of higher
8 education under this section for any fiscal year may
9 be used for administrative expenses.

10 “(3) STATE ENVIRONMENTAL LITERACY
11 PLANS.—

12 “(A) IN GENERAL.—A State educational
13 agency receiving a grant under this section
14 shall—

15 “(i) have a State environmental lit-
16 eracy plan that is consistent with the re-
17 quirements of subsection (b)(6) and that is
18 peer reviewed within the State by a panel
19 composed of experts in environmental edu-
20 cation and representatives from other re-
21 lated State agencies; or

22 “(ii) develop a State environmental
23 literacy plan described in subsection (b)(6)
24 with funds made available under this sec-

1 tion prior to using the grant funds for any
2 other purpose.

3 “(B) PEER REVIEW.—If an environmental
4 literacy plan described in subparagraph (A)(i)
5 has not been peer reviewed within the State, the
6 State educational agency, notwithstanding sub-
7 section (b), shall use funds made available
8 under this section to complete such review, as
9 described in such subparagraph, prior to using
10 the grant funds for any other purpose.

11 “(C) OTHER GRANTEES.—An applicant for
12 a grant under this section that is not a State
13 educational agency and applies for funding to
14 be used for the purpose described in subsection
15 (b)(6) shall demonstrate in the application that
16 the applicant has consulted with the State edu-
17 cational agency about such use of funds.

18 “(e) ADMINISTRATIVE PROVISIONS.—

19 “(1) FEDERAL SHARE.—The Federal share
20 under this section shall not exceed—

21 “(A) 90 percent of the total cost of a pro-
22 gram assisted under this section for the first
23 year for which the program receives assistance
24 under this section;

1 “(B) 75 percent of such cost for the sec-
2 ond; and

3 “(C) 50 percent of such cost for each sub-
4 sequent such year.

5 “(2) REPORT TO CONGRESS.—Not later than
6 one year after enactment of this bill, the Secretary
7 shall submit to the Committee on Education and
8 Labor of the House of Representatives and the Com-
9 mittee on Health, Education, Labor, and Pensions
10 of the Senate a report that—

11 “(A) describes the programs assisted under
12 this section;

13 “(B) documents the success of such pro-
14 grams in improving national and State environ-
15 mental education capacity; and

16 “(C) makes such recommendations as the
17 Secretary determines appropriate for the con-
18 tinuation and improvement of the programs as-
19 sisted under this section.

20 “(3) AVAILABILITY OF FUNDS.—Amounts made
21 available to the Secretary to carry out this section
22 shall remain available until expended.

23 “(f) SUPPLEMENT, NOT SUPPLANT.—Funds made
24 available under this section shall be used to supplement,

1 and not supplant, any other Federal, State, or local funds
2 available for environmental education activities.

3 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 such sums as may be necessary for fiscal year 2009.

6 **“SEC. 12. ACCOUNTABILITY.**

7 “(a) QUALITY INDICATORS.—The Administrator, the
8 Secretary, and the Foundation each shall establish indica-
9 tors of program quality for the programs and activities
10 funded under this Act (other than fellowship awards fund-
11 ed under section 7) that such official or entity administers.

12 “(b) MINIMUM INDICATORS.—Such indicators of pro-
13 gram quality, at a minimum, shall—

14 “(1) enhance understanding of the natural and
15 built environment;

16 “(2) foster a better appreciation of the inter-
17 disciplinary nature of environmental issues and con-
18 ditions;

19 “(3) increase achievement in related areas of
20 national interest, such as mathematics and science;

21 “(4) increase understanding of the benefits of
22 exposure to the natural environment;

23 “(5) improve understanding of how human and
24 natural systems interact together;

1 “(6) broaden awareness of environmental
2 issues; and

3 “(7) include such other indicators as the Ad-
4 ministrators, Secretary, or Foundation may develop.

5 “(c) REPORT.—Each recipient receiving funds under
6 this Act, other than fellowship recipients under section 7,
7 shall report annually to the Administrator, the Secretary,
8 or the Foundation regarding progress made in meeting the
9 minimum indicators of program quality established under
10 subsection (b). The Administrator, the Secretary, and the
11 Foundation shall disseminate such information widely to
12 the public through electronic and other means.”.

13 (e) RESTRICTIONS ON FEDERAL GOVERNMENT AND
14 USE OF FEDERAL FUNDS.—The National Environmental
15 Education Act (20 U.S.C. 5501 et seq.), as amended by
16 subsection (d), is further amended by adding at the end
17 the following:

18 **“SEC. 14. RESTRICTIONS ON FEDERAL GOVERNMENT AND**
19 **USE OF FEDERAL FUNDS.**

20 “(a) GENERAL PROHIBITION.—Nothing in this Act
21 shall be construed to authorize an officer or employee of
22 the Federal Government to mandate, direct, or control a
23 State, local educational agency, or school’s curriculum,
24 program of instruction, specific instructional content, aca-
25 demic achievement standards, assessments, or allocation

1 of State or local resources, or mandate a State or any sub-
2 division thereof to spend any funds or incur any costs not
3 paid for under this Act.

4 “(b) PROHIBITION ON ENDORSEMENT OF CUR-
5 RICULUM.—No funds provided to the Administrator or
6 Secretary under this Act may be used by the Agency or
7 Department of Education to endorse, approve, or sanction
8 any curriculum designed to be used in an elementary
9 school or secondary school.

10 “(c) PROHIBITION ON REQUIRING FEDERAL AP-
11 PROVAL OR CERTIFICATION OF STANDARDS.—No State
12 shall be required to have academic content or student aca-
13 demic achievement standards approved or certified by the
14 Federal Government, in order to receive assistance under
15 this Act.

16 “(d) RESTRICTIONS ON PARTISAN POLITICAL INFLU-
17 ENCE.—

18 “(1) IN GENERAL.—In carrying out the activi-
19 ties described in this Act, the Administrator and
20 Secretary shall ensure that such activities—

21 “(A) conform to high standards of quality,
22 integrity, and accuracy;

23 “(B) are objective, neutral, and nonideo-
24 logical and are free of partisan political influ-
25 ence; and

1 “(C) do not advocate a particular political
2 viewpoint.

3 “(2) ACTIONS TO IMPLEMENT AND ENFORCE.—

4 The Administrator and Secretary shall take such ac-
5 tions as are necessary to ensure that the provisions
6 of this section are vigorously implemented and en-
7 forced.”.

8 (f) CONFORMING AMENDMENT.—The table of con-
9 tents in section 1(b) of the National Environmental Edu-
10 cation Act (20 U.S.C. 5501 note) is amended by striking
11 the item relating to section 11 and inserting the following:

“Sec. 11. National capacity environmental education grant program.

“Sec. 12. Accountability.

“Sec. 13. Authorization.

“Sec. 14. Restrictions on Federal Government and use of Federal funds.”.

Passed the House of Representatives September 18,
2008.

Attest:

LORRAINE C. MILLER,

Clerk.