

111TH CONGRESS  
1ST SESSION

# S. 866

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

---

## IN THE SENATE OF THE UNITED STATES

APRIL 22, 2009

Mr. REED (for himself, Ms. COLLINS, Mr. DODD, Mrs. GILLIBRAND, Mr. KERRY, Mr. LAUTENBERG, Mrs. LINCOLN, Mrs. MURRAY, Mr. MENENDEZ, Mr. SANDERS, Mr. WHITEHOUSE, Mr. CARDIN, and Mr. DURBIN) 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 2009”.

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 is 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, \$100,000,000 for fiscal year 2010 and each of the  
13 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-

1 elementary 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 2009, 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.

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

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

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 not  
24 more than 2.5 percent of the grant funds for admin-  
25 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

1 educational agency under subsection (b)(1), the  
2 State educational agency shall award subgrants, on  
3 a competitive basis, to eligible partnerships serving  
4 the State, to enable the eligible partnerships to carry  
5 out the authorized activities described in subsection  
6 (e) consistent with the approved State environmental  
7 literacy plan.

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

13 “(3) SUPPLEMENT, NOT SUPPLANT.—Funds  
14 provided to an eligible partnership under this part  
15 shall be used to supplement, and not supplant, funds  
16 that would otherwise be used for activities author-  
17 ized under this part.

18 “(d) APPLICATION REQUIREMENTS.—

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

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



1 education, to the extent such standards exist,  
2 and with the State environmental literacy plan  
3 under section 5622; and

4 “(B) advance the teaching of interdiscipli-  
5 nary courses that integrate the study of nat-  
6 ural, social, and economic systems and that in-  
7 clude strong field components.

8 “(5) Designing programs to prepare teachers at  
9 a school to provide mentoring and professional devel-  
10 opment to other teachers at such school to improve  
11 teacher environmental education subject matter and  
12 pedagogical skills.

13 “(6) Establishing and operating programs to  
14 bring teachers into contact with working profes-  
15 sionals in environmental fields to expand such teach-  
16 ers’ subject matter knowledge of, and research in,  
17 environmental issues.

18 “(7) Creating initiatives that seek to incor-  
19 porate environmental education within teacher train-  
20 ing programs or accreditation standards consistent  
21 with the State environmental literacy plan under  
22 section 5622.

23 “(8) Promoting outdoor environmental edu-  
24 cation activities as part of the regular school cur-  
25 riculum and schedule in order to further the knowl-

1 edge and professional development of teachers and  
2 help students directly experience nature.

3 “(f) EVALUATION AND ACCOUNTABILITY PLAN.—

4 “(1) IN GENERAL.—Each eligible partnership  
5 receiving a subgrant under this part shall develop an  
6 evaluation and accountability plan for activities as-  
7 sisted under this part that includes rigorous objec-  
8 tives 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.

14 “(g) REPORT.—Each eligible partnership receiving a  
15 subgrant under this part shall report annually, for each  
16 year of the subgrant, to the State educational agency re-  
17 garding the eligible partnership’s progress in meeting the  
18 objectives described in the accountability plan of the eligi-  
19 ble 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 rriculum 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 policy  
5 approaches to advancing environmental education at  
6 the State and national level.

7 “(4) Conducting studies of national significance  
8 that—

9 “(A) provide a comprehensive, systematic,  
10 and formal assessment of the state of environ-  
11 mental education in the United States;

12 “(B) evaluate the effectiveness of teaching  
13 environmental education as a separate subject,  
14 and as an integrating concept or theme; or

15 “(C) evaluate the effectiveness of using en-  
16 vironmental education-based field-based learn-  
17 ing, service learning or outdoor experiential  
18 learning in helping improve—

19 “(i) student academic achievement in  
20 mathematics, reading or language arts,  
21 science, or other core academic subjects;

22 “(ii) student behavior;

23 “(iii) student attendance; and

24 “(iv) secondary school graduation  
25 rates.

1           “(5) Executing projects that advance wide-  
2           spread State and local educational agency adoption  
3           and use of environmental education content stand-  
4           ards.

5 **“SEC. 5635. REPORTS.**

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

11           “(1) describes the activities assisted under this  
12          subpart that were conducted during the preceding  
13          year;

14           “(2) demonstrates that progress has been made  
15          in helping schools to meet the State academic stand-  
16          ards for environmental education described in sec-  
17          tion 5634(1); and

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

20          “(b) REPORT TO CONGRESS.—Not later than 2 years  
21          after the date of enactment of the No Child Left Inside  
22          Act of 2009 and annually thereafter, the Secretary shall  
23          submit a report to Congress that—

24           “(1) describes the programs assisted under this  
25          subpart;



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

4           “(3) makes such recommendations as the Sec-  
5           retary determines appropriate for the continuation  
6           and improvement of the programs assisted under  
7           this subpart.

8   **“SEC. 5636. ADMINISTRATIVE PROVISIONS.**

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

11           “(1) 90 percent of the total costs of the activi-  
12           ties assisted under the grant for the first year for  
13           which the program receives assistance under this  
14           subpart; and

15           “(2) 75 percent of such costs for each of the  
16           second and third years.

17           “(b) ADMINISTRATIVE EXPENSES.—Not more than  
18          7.5 percent of the grant funds made available to an eligible  
19          partnership under this subpart for any fiscal year may be  
20          used for administrative expenses.

21           “(c) AVAILABILITY OF FUNDS.—Amounts made  
22          available to the Secretary to carry out this subpart shall  
23          remain available until expended.

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

2       “Funds made available under this subpart shall be  
3 used to supplement, and not supplant, any other Federal,  
4 State, or local funds available for environmental education  
5 activities.”.

○