

## Assembly Bill No. 1721

### CHAPTER 581

An act to amend Section 60041 of the Education Code, to amend Sections 71301, 71302, 71303, 71304, and 71305 of the Public Resources Code, and to add Section 13383.6 to the Water Code, relating to environmental education.

[Approved by Governor October 6, 2005. Filed with  
Secretary of State October 6, 2005.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1721, Pavley. Environmental education.

(1) Existing law establishes the Office of Education and the Environment within the California Integrated Waste Management Board, and requires the office to develop and implement a unified education strategy on the environment for elementary and secondary schools. Existing law requires school district governing boards, when adopting instructional materials for use in schools, to include only materials that accurately portray the educational principles for the environment.

This bill would repeal that instructional materials requirement.

(2) Existing law requires the Instructional Materials Advisory Panel, before adopting criteria for textbook adoption, to consult with the office to incorporate, where feasible, education principles for the environment. Existing law requires the education principles for the environment to be incorporated in criteria developed for textbook adoption.

This bill would repeal that consultation requirement and would instead provide that if the State Board of Education determines that the education principles for the environment are not appropriate for inclusion in the textbook adoption criteria, the board would be required to collaborate with the office to make the changes necessary to ensure that the principles are included in the textbook adoption criteria.

(3) Existing law requires the State Department of Education to incorporate materials developed by the office that provide information on the education principles for the environment into publications that provide examples of curriculum resources for teacher use.

This bill would provide that if the Superintendent of Public Instruction determines that materials developed by the office that provide this information are not appropriate for inclusion in publications that provide examples of curriculum resources for teacher use, the Superintendent of Public Instruction would be required to collaborate with the office as specified.

(4) Existing law requires that materials produced and distributed in the public schools be aligned to the educational principles for the environment that are incorporated into the content standards.

This bill would repeal that requirement.

(5) Existing law establishes the Environmental Education Account and authorizes the deposit of funds from prescribed sources for expenditure for purposes of developing and implementing the unified education strategy, upon appropriation by the Legislature.

This bill would allow a state agency that requires the development of, or encourages the promotion of, environmental education for elementary and secondary school pupils, to contribute to the account.

This bill would provide that, on and after January 1, 2007, if a California regional water quality control board or the State Water Resources Control Board issues a specified permit that requires elementary and secondary public schools to be provided with educational materials on stormwater pollution, the permittee would be allowed to contribute an equivalent amount of funds to the account.

*The people of the State of California do enact as follows:*

SECTION 1. Section 60041 of the Education Code is amended to read: 60041. When adopting instructional materials for use in the schools, governing boards shall include only instructional materials that accurately portray both of the following, whenever appropriate:

(a) Humanity's place in ecological systems and the necessity for the protection of our environment.

(b) The effects on the human system of the use of tobacco, alcohol, and narcotics and restricted dangerous drugs, as defined in Section 11032 of the Health and Safety Code, and other dangerous substances.

SEC. 2. Section 71301 of the Public Resources Code is amended to read:

71301. (a) As part of the unified education strategy, the office, under the direction of the Secretary for Environmental Protection and the board, in cooperation with the Resources Agency, the State Department of Education, the State Board of Education, and the Secretary for Education, shall develop education principles for the environment for elementary and secondary school pupils. The principles may be updated every four years beginning July 1, 2008. The principles shall be aligned to the academic content standards adopted by the State Board of Education pursuant to Section 60605 of the Education Code. The principles shall be used to do all of the following:

(1) To direct state agencies that include environmental education components for elementary and secondary education in regulatory decisions or enforcement actions.

(2) To align state agency environmental education programs and materials that are developed for elementary and secondary education.

(b) The education principles for the environment shall include, but not be limited to, concepts relating to the following topics:

(1) Environmental sustainability.

- (2) Water.
- (3) Air.
- (4) Energy.
- (5) Forestry.
- (6) Fish and wildlife resources.
- (7) Oceans.
- (8) Toxics and hazardous waste.
- (9) Integrated waste management.
- (10) Integrated pest management.
- (11) Public health and the environment.
- (12) Pollution prevention.
- (13) Resource conservation and recycling.
- (14) Environmental justice.

(c) The principles shall be aligned to the applicable academic content standards adopted by the State Board of Education and shall not duplicate or conflict with any academic content standards.

(d) (1) The education principles for the environment shall be incorporated, as the State Board of Education determines to be appropriate, in criteria developed for textbook adoption required pursuant to Section 60200 or 60400 of the Education Code in Science, Mathematics, English/Language Arts, and History/Social Sciences.

(2) If the State Board of Education determines that the education principles for the environment are not appropriate for inclusion in the textbook adoption criteria cited in paragraph (1), the State Board of Education shall collaborate with the office to make the changes necessary to ensure that the principles are included in the textbook adoption criteria in Science, Mathematics, English/Language Arts, and History/Social Sciences.

(e) If the content standards required pursuant to Section 60605 of the Education Code are revised, the education principles for the environment shall be appropriately considered for inclusion into part of the revised academic content standards.

SEC. 3. Section 71302 of the Public Resources Code is amended to read:

71302. (a) Using the education principles for the environment required in Section 71301, the office, under the direction of the Secretary for Environmental Protection and the board, shall develop, in cooperation with the California Environmental Protection Agency, the Resources Agency, the State Department of Education and the State Board of Education, a model environmental curriculum that incorporates these education principles for the environment. The model curriculum shall be aligned with applicable State Board of Education adopted academic content standards in Science, Mathematics, English/Language Arts, and History/Social Sciences, to the extent that any of those content areas are addressed in the model curriculum.

(b) The model curriculum shall be submitted to the Curriculum Development and Supplemental Materials Commission for review. The

commission shall submit its recommendation to the Secretary for Environmental Protection and to the Secretary of the Resources Agency by July 1, 2005.

(1) The Secretary for Environmental Protection and the Secretary of the Resources Agency shall review and comment on the model curriculum by January 1, 2006.

(2) The model curriculum along with the comments by the Secretary for Environmental Protection and the Secretary of the Resources Agency shall be submitted to the State Board of Education for its approval.

SEC. 4. Section 71303 of the Public Resources Code is amended to read:

71303. (a) As determined appropriate by the Superintendent of Public Instruction, the State Department of Education shall incorporate into publications that provide examples of curriculum resources for teacher use, those materials developed by the office that provide information on the education principles for the environment required in Section 71300.

(b) If the Superintendent of Public Instruction determines that materials developed by the office that provide information on the education principles for the environment are not appropriate for inclusion in publications that provide examples of curriculum resources for teacher use, the Superintendent of Public Instruction shall collaborate with the office to make the changes necessary to ensure that the materials are included in that information.

(c) The model environmental curriculum approved by the State Board of Education, pursuant to Section 71302 shall be made available by the office to elementary and secondary schools to the extent that funds are available for this purpose. The State Department of Education shall make the model curriculum available electronically including posting on its Web site.

(d) The State Department of Education, to the extent feasible and to the extent that funds are available for this purpose, shall encourage the development and use of instructional materials and active pupil participation in campus and community environmental education programs. To the extent feasible, the environmental education programs should be considered in the development and promotion of after school programs for elementary and secondary school pupils and state and local professional development activities to provide teachers with content background and resources to assist in teaching about the environment.

(e) (1) The board shall assume costs associated with the printing of the approved model curriculum as set forth in subdivision (c). The board shall use, for these purposes, funds that are available for its administrative costs.

(2) From funds available for its administrative costs, the State Department of Education shall post and maintain the model curriculum on its Internet site and pay any costs associated with any related online questionnaire on its Internet site as set forth in subdivision (c).

(3) The State Department of Education shall explore implementation of this section from its baseline resources dedicated to this purpose and if

funding is not available from that source, then funding may be provided to the department, pursuant to appropriation by the Legislature, under Section 71305.

SEC. 5. Section 71304 of the Public Resources Code is amended to read:

71304. (a) The office, under the direction of the Secretary for Environmental Protection, shall be responsible for the statewide coordination of regulatory administrative decisions that require the development or encourage the promotion of environmental education for elementary and secondary school pupils.

(b) All California Environmental Protection Agency or Resources Agency boards, departments, or offices that take regulatory actions or take enforcement actions requiring the development of or encouraging the promotion of environmental education for elementary and secondary school pupils shall, prior to adoption or approval of the action, seek comments on the action from the office in order to promote consistency with this part and cross-media coordination.

(c) The office shall coordinate with all state agencies to develop and distribute environmental education materials.

SEC. 6. Section 71305 of the Public Resources Code is amended to read:

71305. (a) The Environmental Education Account is hereby established within the State Treasury. Moneys in the account may, upon appropriation by the Legislature, be expended by the California Environmental Protection Agency, in consultation with the board, for the purposes of this part. The board shall provide recommendations to the Secretary for Environmental Protection regarding expenditures from the account. The Secretary for Environmental Protection shall administer this part, including, but not limited to, the account.

(b) Notwithstanding any other provision of law to the contrary, the agency may accept and receive federal, state, and local funds and contributions of funds from a public or private organization or individual. The account may also receive proceeds from a judgment in state or federal court, when the funds are contributed or the judgment specifies that the proceeds are to be used for the purposes of this part. The account may receive those funds, contributions, or proceeds from judgments, that are specifically designated for use for environmental education purposes. Private contributors shall not have the authority to further influence or direct the use of their contributions.

(c) Notwithstanding any other provision of law, a state agency that requires the development of, or encourages the promotion of, environmental education for elementary and secondary school pupils, may contribute to the account.

(d) The agency shall immediately deposit any funds contributed pursuant to subdivision (b) into the account.

SEC. 7. Section 13383.6 is added to the Water Code, to read:

13383.6. On and after January 1, 2007, if a regional board or the state board issues a municipal stormwater permit pursuant to Section 402(p) of the Clean Water Act (33 U.S.C. Sec. 1342(p)) that includes a requirement to provide elementary and secondary public schools with educational materials on stormwater pollution, the permittee may satisfy the requirement, upon approval by the regional board or state board, by contributing an equivalent amount of funds to the Environmental Education Account established pursuant to subdivision (a) of Section 71305 of the Public Resources Code.