

HOUSE BILL 94

By Halford

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 11; Title 49 and Title 70, relative to the
creation of the "Tennessee Outdoor Education and
Recreation Grant Program."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 8, is amended by adding the following as a new section:

(a) The commissioner of education, with input from the executive director of the Tennessee wildlife resources agency, shall establish and administer the "Tennessee Outdoor Education and Recreation Grant Program", referred to in this section as the "program", subject to the availability of funds in the outdoor education and recreation account. The purpose of the program is to provide opportunities for public agencies, private nonprofit organizations, formal school programs, nonformal after-school programs, and community-based programs to receive grants from the account. Programs that provide outdoor education opportunities to schools must be fully aligned with the state's academic standards.

(b) The program must be phased in beginning with the schools and students with the greatest needs in suburban, rural, and urban areas of the state. The program must focus on students who qualify for free and reduced-price lunches who are more academically at risk or more likely to drop out of school.

(c) The commissioner shall set priorities and develop criteria for the awarding of grants to outdoor environmental, ecological, agricultural, or other natural resource-based education and recreation programs, which must include, but not be limited to, the following:

(1) Programs that contribute to the reduction of academic failure and dropout rates;

(2) Programs that make use of research-based, effective environmental, ecological, agricultural, or other natural resource-based education curriculum;

(3) Programs that contribute to healthy lifestyles through outdoor recreation and sound nutrition;

(4) State parks as venues and the use of the wildlife agency resources personnel and other agency resources;

(5) Programs that maximize the number of participants served;

(6) Programs that will commit matching and in-kind resources;

(7) Programs that create partnerships with public and private entities;

(8) Programs that provide students with opportunities to directly experience and understand nature and the natural world;

(9) Programs that include ongoing program evaluation, assessment, and reporting of their effectiveness; and

(10) Programs that utilize veterans for at least fifty percent (50%) of program implementation or administration.

(d) The commissioner may also solicit input from the private sector in developing criteria for awarding the grants, including, but not limited to, the business sector, outdoor organizations with an interest in education, and any other persons the commissioner deems important to ensure a cross section of stakeholders.

(e)

(1) There is created a separate account within the state treasury to be known as the outdoor education and recreation program account, referred to in this subsection (e) as the "account".

(2) The account is to be composed of:

(A) Funds appropriated by the general assembly for the account;
and

(B) Gifts, grants, and other donations received by the department
of education for the account.

(3) Funds deposited in the account must be transferred only to the
commissioner of education to be expended solely for the program purposes
described in subsection (a), including the administration of the program;
provided, however, such expenditures must not exceed five percent (5%) of the
total amount appropriated for the program in any fiscal year.

(4) Subject to the availability of revenue at the end of each fiscal year,
the commissioner of finance and administration is authorized to carry forward any
amounts remaining in the account or transfer any part of the account to the
revenue fluctuation reserve.

(5) Moneys in the account are to be invested by the state treasurer
pursuant to title 9, chapter 4, part 6, for the sole benefit of the account, and
interest accruing on investments and deposits of the account must be returned to
the account and remain part of the account.

(6) It is the legislative intent that new commitments made by the
commissioner of education for grants from the account shall not exceed the
appropriations made for the purposes of the account. It is further the legislative
intent that in each fiscal year the account be managed so that actual
expenditures and obligations to be recognized at the end of the fiscal year shall
not exceed any available reserves and appropriations of the account.

SECTION 2. The department of education shall promulgate rules pursuant to the Uniform Administrative Procedures Act, compiled at Title 4, Chapter 5 to effectuate the purposes of this act, including rules to create a selection process for awarding grants.

SECTION 3. This act shall take effect January 1, 2020, the public welfare requiring it.