



AB-1578 School Pavement to Parks Grant Program. (2019-2020)

SHARE THIS:



Date Published: 04/12/2019 09:00 PM

AMENDED IN ASSEMBLY APRIL 12, 2019

AMENDED IN ASSEMBLY MARCH 19, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL

No. 1578

Introduced by Assembly Member Luz Rivas

February 22, 2019

An act to add Article 15 (commencing with Section 33490) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to school districts, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1578, as amended, Luz Rivas. School Pavement to Parks Grant Program.

Existing law requires the governing board of any school district to meet with appropriate local government recreation and park authorities to review all possible methods of coordinating planning, design, and construction of new school facilities and schoolsites or major additions to existing school facilities and recreation and park facilities in the community.

The bill would establish the School Pavement to Parks Grant Program under the administration of the State Department of Education for purposes of providing grants to applicant school districts maintaining schools in disadvantaged communities, as defined, to convert portions of existing pavement at those schools to parks. The bill would require the department to establish processes and procedures for administering the grant program, as specified. ~~As a condition of receiving a grant, the bill would require each grant recipient to implement a gardening program at participating schools maintained by the school district, as specified.~~ *The bill would require a school district that receives a request from a school in the school district to participate in the grant program to provide a response to the school within 6 weeks. By requiring school districts to provide a response to a school requesting to participate in the grant program, the bill would create a state-mandated local program.* The bill would establish the School Pavement to Parks Grant Program Fund in the State Treasury to serve as the initial repository of all moneys received for the program, and would continuously appropriate moneys in the fund to the department for the program, thereby making an appropriation. Subject to available funding, the bill would require the program to be implemented on or before January 1, 2021. The bill would require the Director of Finance, at the commencement of each fiscal year, to determine if there are sufficient funds to implement the program in that fiscal year, and to communicate that determination to the department in a timely matter.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: ~~no~~yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 15 (commencing with Section 33490) is added to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, to read:

Article 15. School Pavement to Parks Grant Program

33490. This article shall be known, and may be cited, as the School Pavement to Parks Grant Program.

33491. For purposes of this article, the following definitions apply:

(a) "Applicant" means a school district.

(b) "Department" means the State Department of Education.

(c) "Disadvantaged communities" means communities identified as disadvantaged communities pursuant to Section 39711 of the Health and Safety Code.

(d) "Fund" means the School Pavement to Parks Grant Program Fund established pursuant to subdivision (a) of Section 33495.

(e) "Organization" means a nonprofit organization that is exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code.

(f) "Program" means the School Pavement to Parks Grant Program established pursuant to Section 33493.

33492. The Legislature finds and declares all of the following:

(a) Pilot programs throughout the state have successfully worked with organizations to convert portions of pavement on school grounds to school parks.

(b) Communities such as Arleta rank in the top 20 of communities with the worst air quality within the County of Los Angeles.

(c) Children in disadvantaged communities struggle to have access to clean and safe parks, and suffer from numerous health issues as a result of their proximity to freeways and stationary sources of pollution.

(d) In addition to helping the state reach its air quality goals, outdoor programs have been proven to do all of the following for pupils:

(1) Improve physical fitness.

(2) Support creativity and imaginative play.

(3) Inspire collaborative play.

(4) Reduce violence and bullying.

(5) Reduce stress.

(6) Create empathy for plants and animals.

(7) Inspire critical thinking and problem solving.

(8) Increase competency in science, language arts and literacy, mathematics, visual-spatial thinking, and construction and engineering.

33493. The School Pavement to Parks Grant Program is hereby established, under the administration of the department, to provide funding to applicants maintaining schools located in disadvantaged communities to convert portions of existing pavement on grounds at those schools to parks. ~~The department shall encourage grant recipients to partner with organizations that donate moneys, pursuant to subdivision (b) of Section 33494, for purposes of establishing these parks.~~

33494. (a) The department shall establish processes and procedures to accomplish, at a minimum, ~~both~~ *all* of the following:

(1) Allocation of grants to grant recipients.

(2) Providing grant priority to applicants based on the poor air quality of their schools under the applicable air quality ~~index~~, *data averages* as determined by the applicable air pollution control or air quality management districts, the number of their pupils who are eligible for free or reduced-price meals, and the proximity of their schools to existing public green spaces.

(3) Providing grant priority to applicants for schools where all, or a majority of, the playground at the schoolsite consists of pavement.

(b) The program shall be funded by donations from organizations, and dollar-for-dollar state matching funds, not to exceed \$____, upon appropriation by the Legislature.

(c) *(1)* Each applicant shall demonstrate in its grant application both of the following:

~~(1)~~

(A) A commitment to maintaining, in perpetuity, each park established within the school district under the program.

~~(2)~~

(B) The ability to accommodate the transformation of school pavement to parks while ensuring that sufficient space remains for purposes of existing and future school activities on school pavement.

(2) An applicant seeking a grant under the program shall work with nonprofit organizations to secure local funding to facilitate the implementation of the program.

(d) (1) A school district may apply for a grant under the program on behalf of a school with existing green spaces on school grounds.

(2) A school district that receives a request from a school in the school district to participate in the program shall provide a response to the school within six weeks of the request.

~~(e)~~

~~(e) As a condition of receiving a grant under the program, a~~ A grant recipient ~~shall~~ *is encouraged to* implement a gardening program that incorporates science, mathematics, literacy, and nutrition for pupils attending participating schools maintained by the grant recipient. ~~Each~~ *It is the intent of the Legislature that each* school year, the *gardening* program ~~shall be~~ *is* implemented to, at a minimum, include a six-week cycle of planting, harvesting, and eating food at parks established under the program.

33495. (a) The School Pavement to Parks Grant Program Fund is hereby established in the State Treasury. Notwithstanding Section 13340 of the Government Code, moneys in the fund shall be continuously appropriated, without regard to fiscal years, to the department for the program. The fund shall be the initial repository of all appropriations, donations from organizations, or other financial assets received by the department in connection with operation of the program.

(b) Subject to available funding, the program shall be implemented on or before January 1, 2021.

(c) The Director of Finance, at the commencement of each fiscal year, shall determine if there are sufficient funds to implement the program in that fiscal year, and shall communicate that determination to the department in a timely manner.

(d) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, moneys appropriated by the Legislature for purposes of this article shall not be deemed to be "General Fund

revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, and shall not be deemed to be included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202.

SEC. 2. *If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.*



The California Healthy Places Index (HPI)TM
 public health of southern California A Partnership for Healthy Places



CALIFORNIA STATE PARKS FOUNDATION

April 3, 2019

The Honorable Luz Rivas
 California State Assembly
 State Capitol, Room 2160
 Sacramento CA 95814

Re: AB 1578 (Support)

Dear Assemblymember Rivas,

The under-signed organizations are pleased to support your AB 1578, a bill would establish the School Pavement to Parks Grant Program under the administration of the State Department of Education for purposes of providing grants to applicant school districts maintaining schools in disadvantaged communities, as defined, to convert portions of existing pavement at those schools to parks.

California cities rank among the most park-poor in the Country. According the Trust for Public Land report '2017 City Park Facts', Los Angeles alone has almost 1.8 million residents living beyond a 1/2 –mile of a park, while other cities like Fresno, Bakersfield, Anaheim, and Riverside are in the hundreds of thousands. It is also a fact that household income, and park space are directly correlated.

In park-poor and underserved communities, public schools often represent a child's only opportunity to play outside and enjoy nature. Unfortunately, many schoolyards in California are mostly asphalt and largely tree-less. As a result, even in a park poor community, the opportunity to play outside can be almost unbearable.

AB 1578 is an innovative solution, long overdue in California to start to institutionalize 'greening' old, hardscaped playgrounds with multi-benefit parks. Features like open spaces, trees, rain gardens, porous paving material, and modern playground equipment, can provide recreational opportunities to children during and after school that never existed before. When designed well, playgrounds are a cost-effective approach to improving air quality, cooling the city, protection from severe flooding and most importantly, improving the physical and emotional health of our kids.

Green schoolyards provide students a safe place to improve their physical and social-emotional health. Recent research indicates that students move more after campus greening, providing an important co-benefit of schoolyard renovations. Furthermore, green schoolyards have been shown to foster creativity and reduce stress and incidences of aggression. Again, in many disadvantaged communities, public schools not only serve the public, but also are the only place that children play.

We all would like to thank Assemblymember Rivas for this crucially important proposal, and offer our strong support.

Sincerely,

Rico Mastrodonato
Trust for Public Land

Jonathan Matz
Safe Routes to School

Kathryn Phillips
Sierra Club California

Linda Rudolph
California Healthy Places Initiative

Amy Lethbridge
Community Nature Connection

Jody London
Oakland Unified School District

Juan Altamirano
Audubon California

Melissa Romero
California League of Conservation Voters

Diana Vazquez
California Environmental Justice Coalition

Tori Kjer
Los Angeles Neighborhood Land Trust

Rachel Norton
California State Parks Foundation