S T A T E O F N E W Y O R K

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I N A S S E M B L Y

July 30, 2010

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Nolan) -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the inventory and report upon outdoor schoolyards of a city school district in a city having a population of one million or more

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraphs a and c of subdivision 14 of section 2556 of the education law, as added by a chapter of the laws of 2010, amending the education law relating to directing the chancellor of a city school district in a city having a population of one million or more to inventory and report upon the outdoor playgrounds within such district, as proposed in legislative bills numbers S.2485-A and A.7603-A, are amended to read as follows:

a. The chancellor of a city school district in a city having a population of one million or more shall compile an inventory of and issue a written report about the outdoor [playgrounds] SCHOOLYARDS in the city school district. Such inventory and report shall:

(i) identify each outdoor [playground] SCHOOLYARD located at educational facilities, as defined in subdivision nine of section twenty-five hundred ninety-a of this title, of the city school district. Each outdoor [playground] SCHOOLYARD shall be identified by the community school district in which the outdoor [playground] SCHOOLYARD is located, its address, APPROXIMATE size and physical condition;

(ii) identify which outdoor [playgrounds] SCHOOLYARDS are used for physical education, activity and/or recreation; for each such outdoor [playground] SCHOOLYARD, a description of how often students of the city district use the outdoor [playground, the activities conducted] SCHOOLYARD, and any limitations on the uses of the [playground] SCHOOLYARD;

(iii) identify which outdoor [playgrounds] SCHOOLYARDS are not used for physical education, activity or recreation. For each such [playground] SCHOOLYARD, an explanation of why it is not being used for physical education, physical activity or recreation by students of the city school district;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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(iv) [a description of how] WHETHER each outdoor [playground] SCHOOLYARD is used AND THE FREQUENCY OF SUCH USE during the school day and [after school by students of the city school district] WHETHER IT IS AVAILABLE FOR USE BY STUDENTS OR THE GENERAL PUBLIC DURING AFTER SCHOOL HOURS;

(v) for each outdoor [playground] SCHOOLYARD, a description of the capital plans for construction, placement, renovation and/or reconfiguration thereof, and any plan to increase or decrease the availability and utilization thereof; and

(vi) any other facts, information and recommendations which the chancellor deems necessary to improve the outdoor [playgrounds] SCHOOLYARDS of the educational facilities of the city school district. Such improvements shall be those that enhance the physical education, physical and mental fitness, and well-being of the students of the city district.

c. For the purposes of this subdivision, "outdoor [playground"] SCHOOLYARD" means outdoor space which is located at educational facilities, and is used or intended to be used by students for physical education, physical activity and/or recreation.

S 2. Subdivision 52 of section 2590-h of the education law, as added by a chapter of the laws of 2010, amending the education law relating to directing the chancellor of a city school district in a city having a population of one million or more to inventory and report upon the outdoor playgrounds within such district, as proposed in legislative bills numbers S.2485-A and A.7603-A, is amended to read as follows:

52. To compile an inventory of and issue a written report about the outdoor [playgrounds] SCHOOLYARDS in the city district, as required by subdivision fourteen of section twenty-five hundred fifty-six of this title.

S 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2010, amending the education law relating to directing the chancellor of a city school district in a city having a population of one million or more to inventory and report upon the outdoor playgrounds within such district, as proposed in legislative bills numbers S.2485-A and A.7603-A, takes effect.