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

8409

I N S E N A T E

June 29, 2010

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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.