

Date of Hearing: April 25, 2018

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 2572 (Calderon) – As Introduced April 17, 2018

SUBJECT: Pupil health: air quality

SUMMARY: Requires school districts to keep pupils indoors, when outdoor air quality is poor. Specifically, **this bill:**

- 1) Defines “outdoor time” to include, but not be limited to, recess, lunch, outdoor breaks, and instructional time held outdoors.
- 2) Requires a school district to keep pupils indoors for outdoor time during normal school hours, when the applicable air pollution or air quality management district has issued a public alert for unhealthy, very unhealthy, or hazardous air quality, as those terms are defined by the United States Environmental Protection Agency’s Air Quality Index.

EXISTING LAW:

- 1) Requires the chairperson of the California Air Resources Board and the Superintendent of Public Instruction to jointly develop guidelines for school districts or county offices of education (COEs) that describe the following (EC 17924):
 - a. The manner in which school districts or COEs may obtain funding from private and public entities to support school bus emissions reduction funds.
 - b. The methods for determining the quantity and allocation of emission reduction credits generated from new buses that replace existing buses, or from retrofitted buses, that represent an expansion of fleet capacity.
- 2) Prohibits the governing board of a school district from approving the acquisition of a schoolsite unless it has consulted with the air pollution control or air quality management district with jurisdiction in the area, to identify facilities—including freeways, large agricultural operations, and railyards—that are located within one-fourth of a mile of the proposed schoolsite and may emit hazardous air emissions (EC 17213).
- 3) Requires the governing board of a school district to make one of the following written findings before approving acquisition of a schoolsite (EC 17213):
 - a. Consultation identified no significant sources of specified types of pollution, including hazardous air emissions.
 - b. Corrective measures will, before the schoolsite is occupied, mitigate all chronic or accidental hazardous air emissions to levels that do not constitute actual or potential endangerment to the health of pupils or employees at the proposed school.

- c. For schoolsites located within 500 feet of a freeway or busy traffic corridor, air dispersion models indicate that air quality at the proposed site poses neither long nor short-term exposure risks to the health of pupils.
- d. The governing board finds that the conditions described in (b) and (c) above cannot be met, and the school district is unable to find a suitable alternative site due to a severe shortage of sites.

FISCAL EFFECT: The Office of Legislative Counsel has keyed this bill as a state mandated local program.

COMMENTS:

Need for the bill. According to the author: “Outdoor air pollution is a major environmental health concern that affects everyone. Children are particularly vulnerable and suffer greatly from exposures to unhealthy air. According to a document by the *World Health Organization: The Effects of Air Pollution on Children’s Health and Development*, children are more prone to respiratory infections than adults since their bodies defenses to fight infections are still developing in young bodies. This increases their susceptibility to the effects of air pollutions.

This past fire season alerted local residents of dangerous air conditions in California. The Environmental Protection Agency’s Air Quality Index (AQI) classified the air quality to be in the purple category for very unhealthy air and cautioned the public to restrict or limit their outdoor activities.

School districts affected by neighboring wildfires miles away need to consider the health impacts on their students. Wildfire smoke is especially harmful to the elderly and children. Since children’s airways are still developing, many may experience more severe symptoms if exposed to high concentration of smoke.

The Los Angeles Times reported in December 2017, a 5 year old was admitted to UCLA Medical Center because the child struggled to breathe. Other incidents reported five patients were treated for asthma attacks. These were results of the Thomas fire that burned through Ventura County and through San Diego County. The smoke travelled to places not threatened by the flames and even though the winds were dying down, smoke particles could still stick around.

It is imperative schools receive the latest air conditions or public announcement of unhealthy or hazardous air quality in the area. By restricting outdoor activities during unhealthy air quality days, it will protect the health of students and faculty members. Children and the elderly are particularly vulnerable to wildfire smoke. Exposure to high levels of pollutants can lead to long-lasting health problems, dysfunction, and disease. AB 2572 will ensure school campuses get real time updates on air quality conditions.”

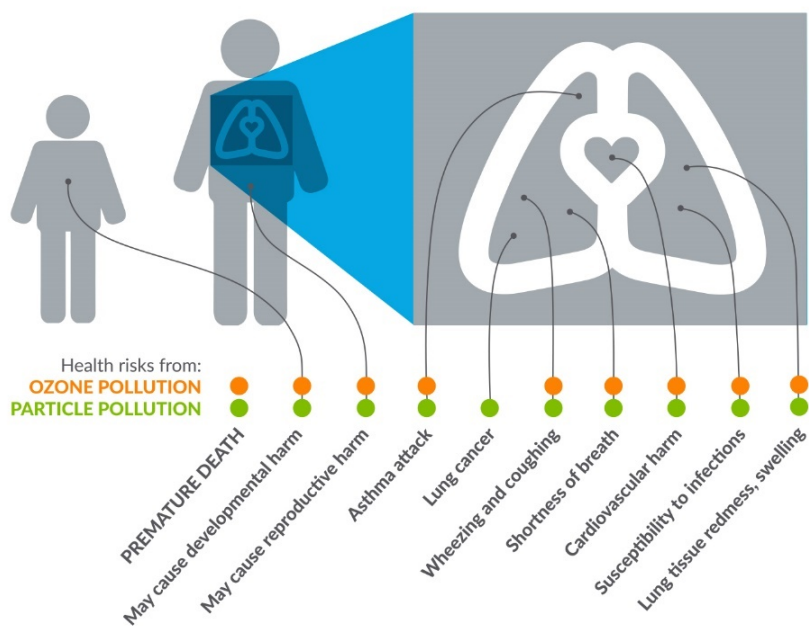
California ranks as worst state for outdoor air pollution. The American Lung Association’s 2018 “State of the Air” report examined the levels of ozone and particle pollution found at official monitoring sites across the United States, from 2014-16. Among the report’s key findings:

- 1) Ozone pollution significantly worsened in 2014-16.

- 2) Between 2014 and 2016, the number of people exposed to unhealthy levels of air pollution increased from 125 million to 133.9 million, and more than 41 percent of people live in counties that have unhealthy levels of ozone or particle pollution.
- 3) Los Angeles remains the city with the worst ozone pollution.
- 4) Bakersfield maintained its status as the city with the worst short-term particle pollution.
- 5) Two heavily populated counties in California—San Bernardino and Los Angeles—lacked year-round particle pollution data.

Health risks associated with air pollution. According to the American Lung Association, ozone and particle pollution are associated with a number of adverse health effects, depicted in the figure below:

Air pollution remains a major danger to the health of children and adults.



Because they are growing, more prone to respiratory infections, and more active than adults, children face special risks from air pollution. Eighty percent of a child's air sacs—where oxygen and carbon dioxide transfer happens in the lungs—develop after birth, a process that isn't completed until adulthood. Studies of children in southern California showed that children growing up in areas with higher levels of air pollution display reduced lung function and an increased risk of reduced lung growth.

Responsibilities of air districts. State law establishes 35 local air pollution control districts in California. According to the California Air Pollution Control Officers Association (CAPCOA), these districts “range from small, single counties such as Lassen, to multi-county agencies such as the Bay Area and South Coast Air Quality Management Districts.” Air districts perform several functions, although specific programs may vary on a local basis. Functions include: emissions control, air monitoring, compliance, permitting, addressing citizen complaints, planning and research, and outreach. CAPCOA states that some, but not all air districts maintain school outreach programs designed to educate students, families, and school personnel about air quality conditions and health concerns associated with poor air quality.

According to CAPCOA, air quality alerts issued by air districts are not always representative of local conditions, particularly when air districts are large, comprised of multiple distinct geographic regions, or prone to significant shifts in temperature and wind conditions throughout the day. *The Committee may wish to consider* whether this bill will unnecessarily require schools to keep pupils indoors—potentially negatively impacting instructional time and complicating staffing arrangements—even when local air quality is not of concern.

Related legislation. AB 2453 (Garcia) of this Session states the intent of the Legislature to enact legislation, called the School Climate and Pollution Resilience Act of 2018, that would direct school districts to work with air districts on the development and implementation of plans to update infrastructure, to limit pupil air pollution exposure.

Committee amendments. Staff recommends the following amendments:

- 1) Remove the mandate that schools require students to stay indoors when air districts issue an air quality alert.
- 2) Encourage school districts and charter schools to consult with their air districts and county public health officers, to identify ongoing air quality concerns and determine best practices for protecting student health from unhealthy air quality conditions.
- 3) Authorize school districts and charter schools to consult with their local air districts and county public health officers, and to consider the following practices when their air districts issue alerts for unhealthy, very unhealthy, or hazardous air quality days that impact one or more schools:
 - a. Requiring pupils to remain indoors for outdoor time during normal school hours and after-school activities.
 - b. Modifying outdoor athletics and physical education activities to minimize the exposure of students and student athletes to outdoor air pollutants.
 - c. Discouraging individuals who drive to campus from idling their vehicles on school property.
 - d. Adopting school policies that limit school bus idling.
 - e. Allowing pupils with health conditions, such as asthma, that increase the risk of adverse reactions to air pollution to engage in alternative physical activities, such as exercising indoors or engaging in less vigorous exercise, when poor air quality threatens their health or well-being.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association for Health, Physical Education, Recreation and Dance
Educate. Advocate.

Empower Family California

Opposition

None on file.

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