

## ASSEMBLY THIRD READING

AB 2241 (Boerner)

As Amended April 27, 2026

Majority vote

**SUMMARY**

Establishes the Inclusive Playground Advisory Committee (Committee) within the California Department of Education (CDE) to develop and publish model guidelines for inclusive school playgrounds in the state.

**Major Provisions**

- 1) Establishes the California Inclusive School Playgrounds Act.
- 2) Establishes the Committee within the CDE. Requires the Committee to collectively represent a mix of disciplines, perspectives, and experience with a diverse range of disabilities or with school facilities and accessible playground experience.
- 3) Requires the Committee, on or before January 1, 2028, to coordinate with the CDE to develop and publish model guidelines for inclusive school playgrounds in the state, and requires guidelines developed to reflect universal design principles and address equipment selection, surfacing, sensory features, safety, and maintenance, and requires in developing the guidelines, the Committee to consider socioeconomic factors, including the needs of underserved, rural, and special needs communities;
- 4) Authorizes the CDE to review proposed inclusive school playground designs submitted by local educational agencies (LEAs) seeking state funding and provide technical feedback to ensure designs meet inclusive design standards.
- 5) Authorizes the SBE to adopt regulations related to the model guidelines.
- 6) Defines the following terms:
  - a) "Committee" to mean the Inclusive Playground School Advisory Committee;
  - b) "Inclusive design standards" to mean the model guidelines for inclusive school playgrounds in the state; and
  - c) "Inclusive school playground" to mean an outdoor play area at a public school that is designed and constructed to ensure that pupils who are individuals with physical, sensory, intellectual, or developmental disabilities can play together with nondisabled pupils. An inclusive school playground incorporates universal design features beyond minimum accessibility requirements, including, but not limited to, accessible surfacing and ramps, integrated adaptive swings and equipment, sensory-rich elements, clear wayfinding, shaded quiet areas, and other features enabling physical, cognitive, and social play by pupils who are individuals with disabilities.

## COMMENTS

*Key provisions of the bill.* This bill would require the CDE to establish a Committee, composed of specified experts in accessible playgrounds or individuals with disabilities, charged with developing model guidelines for inclusive California public school playgrounds. The developed guidelines would be required to reflect universal design principles and address equipment selection, surfacing, sensory features, safety, and maintenance.

*Federal disabilities law includes accessibility standards for playgrounds.* The ADA is a federal law providing protection against discrimination on the basis of a disability, ensuring equal access and benefit to all people. In 2010, the Department of Justice (DOJ) published revised regulations the ADA adopted Standards for Accessible Design (Standards). The Standards set minimum requirements – both scoping and technical – for newly designed and constructed or altered state and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. The Standards include requirements related to path of travel, and surfaces under and around playground equipment. Related to accessible playgrounds, a common interpretation of the Standards is that once a child is in the play area, they must be able to access the play equipment by either moving out of their mobility device onto the playground structure (such as a transfer station) or by direct play structure access in their mobility device (such as a ramp). Many school facilities and playgrounds may be older than the implementation dates required by the Standards. The Standards and this bill do not require all playgrounds to be updated, rather only playgrounds that are new or meet the specific definition of altered.

*Many school districts follow private sector playground equipment safety standards for insurance purposes.* The American National Standards Institute (ANSI) issues performance specifications and standards that impact business in many sectors, ranging from construction to agriculture, including playground equipment for public use. The *Playground Equipment for Public Use Standard (ASTM F1487-21)* is a performance specification that addresses safety and performance standards for various types of public playground equipment. Specifically, the document encompasses equipment for the 5th percentile 2-year-old through the 95th percentile 12-year-old range. To limit the possibility of falls on public playground equipment, ASTM F1487-21 specifies installing handrails, guardrails, and barriers on different surfaces, including stairways, ramps, stepladders, and platforms to help obstruct how falls can occur. The document also includes guidance on the design of ramps and accessible openings. The Standard also includes guidance on ways to limit other hazards.

*Universal Design Principles.* This bill would require the Committee to coordinate with the CDE to develop and publish model guidelines for inclusive school playgrounds, and would require the guidelines to reflect universal design principles. The 7 Principles of Universal Design (Principles) were developed in 1997 by a working group of architects, product designers, engineers, and environmental design researchers. The purpose of the Principles is to guide the design of environments, products, and communications. For example, Principle 1 is that the design is useful and marketable to people with disabilities

*Available research demonstrates that children with disabilities cannot fully participate in playgrounds because of inadequate adaptations.* A 2023 American Journal of Occupational Therapy review of existing research on the relationship between key areas of development and accessible play settings for children with disabilities, *Occupational Injustice and the Right to*

*Play: A Systematic Review of Accessible Playgrounds for Children With Disabilities*, found that eight studies reported that social participation, play participation, and motor skills development were negatively affected despite playgrounds being labeled accessible. Children with disabilities have decreased engagement in activities that provide opportunities for play, social participation, and motor skills development. A 2017 Children, Youth and Environments review, *Systematic Review of Evidence-Based Practices for Inclusive Playground Design*, reports that children with disabilities are often unable to fully engage with their peers and environment as a result of barriers in playground structure and design. In 2019, 65% of caregivers for children with disabilities reported that their child could not fully participate in playgrounds because of inadequate adaptations (Stanton-Chapman & Schmidt, 2019), despite the Standards.

### **According to the Author**

According to the author, "Asm. Boerner is pleased to author AB 2241, a bill that would ensure newly built or renovated playgrounds at public schools are made with inclusivity in mind. Play is a fundamental right for every child, recognized by United Nations (UN) Convention on the Rights of the Child. Federal ADA standards mandate basic accessibility, but do not ensure inclusive play features. Out-of-state and internationally, there are many examples of playground design going above and beyond to create experiences for children which help them grow, both socially, and mentally, as well as in developing their fine motor skills. Current California design for playgrounds is not sufficient to nurture these important skills for our children. AB 2241 would address these issues by ensuring that new and renovated playgrounds on public school campuses are inclusive, accessible, and engaging for children of all abilities, designed by an expert advisory committee and given priority funding."

### **Arguments in Support**

The Special Education Local Plan Administrators (SELPA) Association of California writes, "We recognize that access to safe, inclusive, and developmentally appropriate play environments is not ancillary, it is essential to student growth, social integration, and overall well-being. AB 2241 thoughtfully acknowledges that compliance with minimum accessibility standards alone is insufficient and instead promotes a more comprehensive vision grounded in universal design and meaningful inclusion.

We strongly support the bill's establishment of an Inclusive School Playground Advisory Committee to guide this work. The inclusion of educators, experts, and parents of students with disabilities will ensure that the development of model guidelines reflects both lived experience and best practices. The requirement that these guidelines be developed and published by January 1, 2028, and that they address critical elements such as accessible surfacing, adaptive equipment, sensory-rich features, and safety considerations, represents a significant step toward standardizing inclusive design across California's schools.

We also appreciate the bill's emphasis on equity, including the directive to consider the needs of underserved, rural, and special needs communities in the development of guidelines and statewide planning efforts. SELPAs, the member LEAs and families we represent, frequently see disparities in access to inclusive facilities, and this bill provides a framework to begin addressing those gaps in a meaningful and systemic way.

### **Arguments in Opposition**

None on file

## **FISCAL COMMENTS**

According to the Assembly Appropriations Committee:

Minor and absorbable costs to CDE.

## **VOTES**

### **ASM EDUCATION: 9-0-0**

**YES:** Patel, Hoover, Alvarez, Bonta, Castillo, Garcia, Lowenthal, Pellerin, Zbur

### **ASM APPROPRIATIONS: 15-0-0**

**YES:** Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

## **UPDATED**

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