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SB-341 Instructional School Gardens Program: reestablishment: Department of Food and Agriculture.
(2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. 341

Introduced by Senator Pérez
(Principal coauthors: Senators Ochoa Bogh and Rubio)
(Coauthors: [Senators Limón and Stern](#))

February 12, 2025

An act to amend Sections 51795, 51796, 51796.5, and 51798 of, to add Sections 51798.5 and 51799 to, to repeal Section 51796.2 of, and to repeal and add Section 51797 of, the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

SB 341, as amended, Pérez. Instructional School Gardens Program: reestablishment: Department of Food and Agriculture.

Existing law establishes the Instructional School Gardens Program for the promotion, creation, and support of instructional school gardens through the allocation of grants, and through technical assistance provided, to school districts, charter schools, or county offices of education. Existing law requires the State Department of Education to administer the program, as provided.

This bill would revise and recast the Instructional School Gardens Program by, among other things, reestablishing the program under the administration of the Department of Food and Agriculture for the promotion, creation, and support of instructional school gardens through the allocation of grants and the provision of technical assistance to support instructional school garden programming in school districts, county offices of education, and charter schools. The bill would require the department to convene a working group consisting of the department, the State Department of Education, the Department of Resources Recycling and Recovery, the Department of Forestry and Fire Protection, and instructional school garden community-based organizations. The bill would require the working group to advise and assist the Department of Food and Agriculture in carrying out the program, as provided. The bill would establish the Instructional School Gardens and Maintenance Fund in the State Treasury and would require moneys in the fund to be available, upon appropriation by the Legislature, to the department for purposes of the program, as specified.

This bill, contingent upon an appropriation or receipt of sufficient private funds, as specified, for its purposes, would require the department, on or before July 1, 2026, and in consultation with the working group, to develop a competitive grant process, including selection criteria, goals, prioritizations, and guidelines, for purposes of the program, as provided. The bill would require eligible applicants to be local educational agencies or other entities ~~partnering~~ *that have an established track record of operating outdoor, experiential learning programs in schools and that are in partnership, as defined,* with at least one local educational agency, ~~including, but not limited to, community-based organizations,~~ and would require applicants to designate one of 2 grant categories for each proposed schoolsite, as provided, and to submit a plan and measurable outcomes for a program of experiential, outdoor instruction that meet specified requirements. Before developing the competitive grant process, the bill would require the department to hold at least 2 public meetings to gather public input on the development of the competitive grant process.

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

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

SECTION 1. Section 51795 of the Education Code is amended to read:

51795. The Legislature finds and declares all of the following:

(a) Garden-based learning uses the garden as an outdoor classroom to provide integrated learning experiences in and across disciplines through active, engaging real-world experiences that bring abstract concepts to life.

(b) School garden-based instruction provides an interactive, hands-on learning environment in which pupils learn fundamental concepts about nutrition and diabetes prevention, the cultural and historical aspects of our food supply, a better understanding and appreciation of where food comes from, how food travels from the farm to the table, ~~and~~ the important role of agriculture in the state, national, and global ~~economy~~ *economy, and the importance of composting organic waste as part of a statewide effort to reduce the current rate of organic waste comprising 48 percent of landfill waste, to help meet California's 75-percent overall recycling goal, and to reduce the emission of greenhouse gases through reductions in landfilling organic waste.*

(c) Studies show that garden-enhanced nutrition education is a profoundly engaging and effective way to establish healthy eating habits with youth, to get youth to participate more successfully in their education experiences, and develop a deeper appreciation of their community.

(d) School garden programs can equally enhance any academic subject area including science, environmental literacy and stewardship, mathematics, reading, writing, art, nutrition, physical education, history, and geography. School gardens provide a unique setting in which improved pupil performance can be achieved.

(e) By directly teaching California academic standards-based concepts through real-world applications, school garden-based instruction provides outdoor living laboratories that can be accessed for multiple core subject areas. Garden-based activities support pupil engagement and lead to a number of academic benefits. Furthermore, garden-based instruction has been shown to help close academic achievement gaps and to support pupils with learning differences. Additionally, school garden education increases environmental literacy.

(f) Garden-based learning also provides ideal environments to address pupil social and emotional learning, academic achievement gaps and engagement, learning differences, agency, and resilience. Garden-based learning improves social and emotional skills of empathy, communication and teamwork, enhanced relationships with peers, and improved overall well-being. Psychological benefits include positive mental health, sense of purpose and belonging, higher life satisfaction, and the ability to manage stress and life challenges.

(g) Garden-based learning and time outdoors is a positive and consistent predictor of physical activity among children and supports healthy lifelong habits, including those related to food and physical activity. Introducing learning through garden-based activities may help children shift from a life course trajectory of sedentary activities towards a more positive trajectory of physical movement outdoors and healthy habits.

(h) Garden-based learning provides more contact with nature and studies show that pupils who have daily access to nature cope better with adversity than those who do not and that onsite gardens and green schoolyards can reduce stress, promote protective factors for resilience, increase focus, build competence, and help form supportive social groups among pupils.

(i) Garden-based learning supports green schoolyards and tree canopy efforts. Trees and green space, including instructional gardens, help mediate temperatures in schools. Studies show a positive relationship between natural playscapes and enhanced physical activity, motor development, creative play behavior, and environmental learning.

(j) Garden-based learning prepares youth to better address climate change. By connecting pupils with nature through outdoor, experiential learning, school gardens directly support climate change instruction aimed at preparing pupils to be effective civic leaders to help counter the effects and causes of climate change.

SEC. 2. Section 51796 of the Education Code is amended to read:

51796. (a) The Instructional School Gardens Program is hereby reestablished for the promotion, creation, and support of instructional school gardens through the allocation of grants and the provision of technical assistance to local educational agencies to support instructional school garden programming in local educational agencies. The program shall be administered by the Department of Food and Agriculture.

(b) The Department of Food and Agriculture shall convene a working group on instructional school gardens that shall include, but not be limited to, representatives of the State Department of Education, the Department of Food and Agriculture, CalRecycle, CAL FIRE, the State Department of Public Health, and instructional school garden community-based organizations. The working group shall advise and assist the Department of Food and Agriculture on all of the following:

(1) Identifying effective and efficient means of encouraging local educational agencies to develop and maintain a quality instructional school garden program.

(2) Identifying the availability of state and nonstate resources and technical assistance to help local educational agencies in establishing and maintaining instructional school gardens.

(3) Identifying public and private partnerships available to assist local educational agencies in using instructional school gardens to complement the academic program of participating schools.

(4) Supporting program efforts through technical assistance, resources, in-kind support, site visits, and other related efforts.

(c) The Department of Food and Agriculture, the State Department of Education, the State Department of Public Health, and CalRecycle shall use existing resources to comply with subdivision (b).

SEC. 3. Section 51796.2 of the Education Code is repealed.

SEC. 4. Section 51796.5 of the Education Code is amended to read:

51796.5. As a condition of the receipt of funds pursuant to this article, at the end of the school year in which grants funds are received, the local educational agency or the local educational agency partnering with another entity shall report to the Department of Food and Agriculture, for consultation with the working group, in a manner prescribed by the Department of Food and Agriculture, regarding the use of funds and the manner in which the instructional school garden or gardens are used to complement the academic and other programs of the funded schoolsite. A local educational agency may submit one report for all of the schools that have received grants that are under the jurisdiction of the local educational agency. The grant report shall include the number of experiential lessons or hands-on activities that each classroom participated in, the frequency and duration of each lesson, the main theme of each lesson or hands-on activity, and other nonteaching activities that are necessary for program operations.

SEC. 5. Section 51797 of the Education Code is repealed.

SEC. 6. Section 51797 is added to the Education Code, to read:

51797. (a) On or before July 1, 2026, the Department of Food and Agriculture, in consultation with the working group, shall develop a competitive grant process, including selection criteria, goals, prioritizations, and guidelines, to support school garden instructional programs and maintenance in local educational agencies, consistent with all of the following:

(1) (A) Eligible applicants shall include local educational agencies and other entities that ~~are partnering with at least one local educational agency, including, but not limited to, community-based organizations.~~ *have an established track record of operating outdoor, experiential learning programs in schools and that are in partnership with at least one local educational agency.*

~~(B) For purposes of a community-based organization and other private individual or entity eligibility under subparagraph (A), the local educational agency partnership shall be confirmed by a memorandum of understanding, services agreement, or letter of support, and the community-based organization or other private individual or entity shall have an established track record of operating outdoor, experiential learning programs in schools.~~

(B) For purposes of subparagraph (A), "partnership" means a memorandum of understanding, services agreement, or letter of support between the applying entity and a local educational agency.

(2) Applicants shall submit a plan and measurable outcomes for a program of experiential, outdoor instruction that includes all of the following:

(A) (i) The designation of an instructional school garden or outdoor learning space at each proposed schoolsite of adequate size and with the necessary infrastructure, including water, class seating, and planting areas, to provide regular learning and stewardship opportunities for all pupils.

(ii) If an instructional school garden or outdoor learning space needs to be developed, or exists but needs improvements in infrastructure, applicants shall indicate that in their application and request an in-development grant, as described in subparagraph (B) of paragraph (3).

(B) (i) A commitment to use standards-aligned ~~curriculum~~ *curricula* if programming occurs during the instructional day. This requirement shall not extend to programming offered as part of an expanded learning opportunity program pursuant to Section 46120.

(ii) Applicants shall be encouraged to use free, publicly available ~~curriculum~~ *curricula*, as appropriate.

(C) Instruction consisting of experiential learning opportunities where pupils are in direct connection with living ecosystems, including their food system.

(D) When the applicant is a local educational agency, planning for the integration of outdoor, experiential learning into appropriate guiding documents, including their single plan for pupil achievement or their local control and accountability plan, as applicable.

(3) Applicants shall designate one of the two following grant categories for each proposed schoolsite:

(A) An "operational grant" for schoolsites that have adequate outdoor learning facilities and experiential learning programs that offer regular opportunities to all pupils.

(B) An "in-development grant" for schoolsites whose facilities need improvements or whose programs are not regularly involving all pupils. Schoolsites receiving an in-development grant shall be eligible for additional short-term funding to support infrastructure and program development, and shall be required to partner with a technical assistance provider approved by the Department of Food and Agriculture, in consultation with the working group.

(4) Grant funds may be used for personnel that provide direct instructional support to certificated teachers and eligible projects.

(5) Grant funds shall be provided in proportion to the scope of work, using a formula that includes the number of experiential lessons or hands-on activities offered to each classroom, the number of participating classrooms, and the prevailing wages for instructional support providers with related, specialized experience. The formula shall include personnel time for activities beyond direct instruction or instructional support that are necessary for program operations, including preparation of lessons, facility upkeep, communications with stakeholders, and community engagement.

(6) (A) Grant funding shall only be disbursed to an applicant in subsequent years based upon the results of the grant report pursuant to Section 51796.5.

(B) Grant recipients shall qualify for a renewal of grant funding for the following school year if the deliverables outlined in the plan developed pursuant to paragraph (2) are adequately met, as determined by the Department of Food and Agriculture, in consultation with the working group. The Department of Food and Agriculture, in consultation with the working group, may review grant recipient expenditures in order to determine that all grant funding was used for intended purposes.

(b) Before developing the competitive grant process pursuant to subdivision (a), the Department of Food and Agriculture shall hold at least two public meetings to gather public input on the development of the competitive grant process.

(c) The operation of this section is contingent upon either of the following:

(1) An appropriation by the Legislature for purposes of this section in the annual Budget Act or another statute.

(2) Receipt by the Department of Food and Agriculture of sufficient private funds, including, but not limited to, private grants or donations, for purposes *of* this section, as determined by the Department of Food and Agriculture.

SEC. 7. Section 51798 of the Education Code is amended to read:

51798. A local educational agency that is operating a school garden may sell produce grown in the school garden, regardless of whether the school participates in the Instructional School Gardens Program, if the local educational agency complies with applicable federal, state, and local health and safety requirements for the production, processing, and distribution of the produce.

SEC. 8. Section 51798.5 is added to the Education Code, to read:

51798.5. The Instructional School Gardens and Maintenance Fund is hereby established in the State Treasury for purposes of this article. Moneys in the fund, including any federal funds or private funds, shall be made available, upon appropriation by the Legislature, to the Department of Food and Agriculture for purposes of this article.

SEC. 9. Section 51799 is added to the Education Code, to read:

51799. For purposes of this article, the following definitions apply:

(a) "CAL FIRE" means the Department of Forestry and Fire Protection.

(b) "CalRecycle" means the Department of Resources Recycling and Recovery.

(c) "Eligible project" means any project or action identified in Section 4799.12 of the Public Resources Code or in paragraph (2) of subdivision (d) of Section 12802.10 of the Government Code that can feasibly be completed on the schoolsite of a local educational agency.

(d) "Local educational agency" means a school district, county office of education, or charter school.

(e) "School garden" means any eligible project located within the property boundaries of a schoolsite of a local educational agency that is used specifically for a wide range of academic instruction and other uses, including nutrition, social and emotional learning, building agency, and other related activities.

(f) "Working group" means the working group on instructional school gardens convened pursuant to subdivision (b) of Section 51796.