

By: Allen

H.B. No. 3984

A BILL TO BE ENTITLED

AN ACT

relating to policies on the recess period in public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 28, Education Code, is amended by adding Sections 28.0047 and 28.0048 to read as follows:

Sec. 28.0047. MODEL RECESS POLICIES. The Department of State Health Services School Health Advisory Committee established under Section 1001.0711, Health and Safety Code, shall develop model policies for the recess period during the school day that encourage constructive, age-appropriate outdoor playtime. The model policies must include guidelines for outdoor equipment and facilities on public school campuses that maximize the effectiveness of outdoor physical activity.

Sec. 28.0048. RECESS POLICY. (a) The board of trustees of each school district shall:

(1) after reviewing the model recess policies developed under Section 28.0047 and the policy recommendations of the local school health advisory council provided under Section 28.004(1), adopt a recess policy based on those model policies and recommendations; and

(2) review and, if necessary, revise the recess policy at least every five years.

(b) The recess policy must specify:

(1) the required number of minutes of weekly

1 unstructured playtime; and

2 (2) whether a student's recess time may be withheld as  
3 a form of student discipline.

4 (c) Each school district campus subject to the district  
5 recess policy adopted under Subsection (a) shall implement the  
6 recess policy.

7 SECTION 2. (a) Not later than January 1, 2024, the  
8 Department of State Health Services School Health Advisory  
9 Committee shall develop model recess policies as required by  
10 Section 28.0047, Education Code, as added by this Act.

11 (b) Not later than May 1, 2024, the board of trustees of each  
12 school district shall adopt a recess policy as required by Section  
13 28.0048, Education Code, as added by this Act.

14 (c) Not later than the beginning of the 2024-2025 school  
15 year, each school district campus subject to a school district  
16 recess policy adopted under Section 28.0048, Education Code, as  
17 added by this Act, shall implement the adopted policy.

18 SECTION 3. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2023.