

BILL ANALYSIS

Senate Research Center

H.B. 455
By: Allen et al. (Watson)
Education
5/8/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 455 requires school districts to adopt a formal recess policy for the district. It does not set out requirements for what the recess policy must be. Rather, the bill does require that the policy specify the number of minutes (decided by the district) for recess and whether or not recess may be withheld as a form of punishment. To assist with this policy making, the Texas Education Agency will develop model policies for school districts' use.

The values of recess have been seen, both in areas of child health, but also in student academic achievement, and by requiring a formal recess policy to be implemented, it will be easier for parents to have a clear understanding of what level of recess their child will be receiving..

H.B. 455 amends current law relating to policies on the recess period in public schools.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 28, Education Code, by adding Sections 28.0047 and 28.0048, as follows:

Sec. 28.0047. MODEL RECESS POLICIES. Requires the Department of State Health Services (DSHS) School Health Advisory Committee established under Section 1001.0711 (School Health Advisory Committee), Health and Safety Code, to develop model policies for the recess period during the school day that encourage constructive, age-appropriate outdoor playtime. Requires the model policies to 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) Requires the board of trustees of each school district to:

(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) (relating to requiring the local school health advisory council to consider and make policy recommendations to the district concerning the importance of daily recess for elementary school students), 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) Requires the recess policy to specify:

(1) the required number of minutes of weekly unstructured playtime; and

(2) whether a student's recess time is authorized to be withheld as a form of student discipline.

(c) Requires each school district campus subject to the district recess policy adopted under Subsection (a) to implement the recess policy.

SECTION 2. (a) Requires the DSHS School Health Advisory Committee, not later than January 1, 2020, to develop model recess policies as required by Section 28.0047, Education Code, as added by this Act.

(b) Requires the board of trustees of each school district, not later than May 1, 2020, to adopt a recess policy as required by Section 28.0048, Education Code, as added by this Act.

(c) Requires each school district campus subject to a school district recess policy adopted under Section 28.0048, Education Code, as added by this Act, not later than the beginning of the 2020–2021 school year, to implement the adopted policy.

SECTION 3. Effective date: upon passage or September 1, 2019.