

By: Watson, Menéndez

S.B. No. 364

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. Section 28.004(1), Education Code, is amended to read as follows:

(1) The local school health advisory council shall consider and make policy recommendations to the district concerning the importance of daily recess for elementary school students. The council must consider research regarding unstructured and undirected play, academic and social development, and the health benefits of daily recess and the model recess policies developed by the Department of State Health Services School Health Advisory Committee under Section 28.0047, in making the recommendations. The council shall ensure that local community values are reflected in any policy recommendation made to the district under this subsection.

SECTION 2. 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. The model policies must include guidelines for:

(1) the number of minutes of weekly unstructured

1 playtime; and

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

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

6 (1) after reviewing the model recess policies  
7 developed under Section 28.0047 and the policy recommendations of  
8 the local school health advisory council provided under Section  
9 28.004(1), adopt a recess policy; and

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

12 (b) The recess policy must specify:

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

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

17 (c) Each school district campus subject to the district  
18 recess policy adopted under Subsection (a) shall implement the  
19 recess policy.

20 SECTION 3. (a) Not later than January 1, 2020, the  
21 Department of State Health Services School Health Advisory  
22 Committee shall develop model recess policies as required by  
23 Section 28.0047, Education Code, as added by this Act.

24 (b) Not later than May 1, 2020, the board of trustees of each  
25 school district shall adopt a recess policy as required by Section  
26 28.0048, Education Code, as added by this Act.

27 (c) Not later than the beginning of the 2020-2021 school

1 year, each school district campus subject to a school district  
2 recess policy adopted under Section 28.0048, Education Code, as  
3 added by this Act, shall implement the adopted policy.

4         SECTION 4. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2019.