

BILL ANALYSIS

Senate Research Center
86R20864 SRS-F

C.S.S.B. 364
By: Watson
Education
3/27/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The committee substitute utilizes the Texas School Health Advisory Committee (SHAC) to develop the model recess policies instead of the Texas Education Agency, since SHAC has already done the research in this area and made recommendations in this area. The local SHACs will then recommend to the school board a recess policy, as required by Senator Nelson's S.B. 580 (80R).

C.S.S.B. 364 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 Section 28.004(1), Education Code, as follows:

(1) Requires the local school healthy advisory council to 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 (DSHS) School Health Advisory Committee under Section 28.0047, in making policy recommendations regarding recess.

SECTION 2. 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 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. Requires the model policies to include guidelines for:

- (1) the number of minutes of weekly unstructured playtime; and
- (2) whether a student's recess time may be withheld as a form of student discipline.

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 policy advisory council provided under Section 28.004(1), adopt a recess policy; and
- (2) review and, if necessary, revise the recess policy at least every five years.

(b) Requires the recess policy to specify the required number of minutes of weekly unstructured playtime and whether a student's recess time may 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 3. (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 to adopt a recess policy as required by Section 28.0048, Education Code, as added by this Act, not later than May 1, 2020.

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

SECTION 4. Effective date: upon passage or September 1, 2019.