

1-1 By: Watson S.B. No. 364
 1-2 (In the Senate - Filed January 16, 2019; February 7, 2019,
 1-3 read first time and referred to Committee on Education;
 1-4 April 2, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 11, Nays 0; April 2, 2019,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Taylor	X			
1-9 Lucio	X			
1-10 Bettencourt	X			
1-11 Campbell	X			
1-12 Fallon	X			
1-13 Hall	X			
1-14 Hughes	X			
1-15 Paxton	X			
1-16 Powell	X			
1-17 Watson	X			
1-18 West	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 364 By: Watson

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to policies on the recess period in public schools.
 1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-25 SECTION 1. Section 28.004(1), Education Code, is amended to
 1-26 read as follows:
 1-27 (1) The local school health advisory council shall consider
 1-28 and make policy recommendations to the district concerning the
 1-29 importance of daily recess for elementary school students. The
 1-30 council must consider research regarding unstructured and
 1-31 undirected play, academic and social development, and the health
 1-32 benefits of daily recess and the model recess policies developed by
 1-33 the Department of State Health Services School Health Advisory
 1-34 Committee under Section 28.0047, in making the recommendations.
 1-35 The council shall ensure that local community values are reflected
 1-36 in any policy recommendation made to the district under this
 1-37 subsection.
 1-38 SECTION 2. Subchapter A, Chapter 28, Education Code, is
 1-39 amended by adding Sections 28.0047 and 28.0048 to read as follows:
 1-40 Sec. 28.0047. MODEL RECESS POLICIES. The Department of
 1-41 State Health Services School Health Advisory Committee established
 1-42 under Section 1001.0711, Health and Safety Code, shall develop
 1-43 model policies for the recess period during the school day. The
 1-44 model policies must include guidelines for:
 1-45 (1) the number of minutes of weekly unstructured
 1-46 playtime; and
 1-47 (2) whether a student's recess time may be withheld as
 1-48 a form of student discipline.
 1-49 Sec. 28.0048. RECESS POLICY. (a) The board of trustees of
 1-50 each school district shall:
 1-51 (1) after reviewing the model recess policies
 1-52 developed under Section 28.0047 and the policy recommendations of
 1-53 the local school health advisory council provided under Section
 1-54 28.004(1), adopt a recess policy; and
 1-55 (2) review and, if necessary, revise the recess policy
 1-56 at least every five years.
 1-57 (b) The recess policy must specify:
 1-58 (1) the required number of minutes of weekly
 1-59 unstructured playtime; and
 1-60 (2) whether a student's recess time may be withheld as

2-1 a form of student discipline.

2-2 (c) Each school district campus subject to the district
2-3 recess policy adopted under Subsection (a) shall implement the
2-4 recess policy.

2-5 SECTION 3. (a) Not later than January 1, 2020, the
2-6 Department of State Health Services School Health Advisory
2-7 Committee shall develop model recess policies as required by
2-8 Section 28.0047, Education Code, as added by this Act.

2-9 (b) Not later than May 1, 2020, the board of trustees of each
2-10 school district shall adopt a recess policy as required by Section
2-11 28.0048, Education Code, as added by this Act.

2-12 (c) Not later than the beginning of the 2020-2021 school
2-13 year, each school district campus subject to a school district
2-14 recess policy adopted under Section 28.0048, Education Code, as
2-15 added by this Act, shall implement the adopted policy.

2-16 SECTION 4. This Act takes effect immediately if it receives
2-17 a vote of two-thirds of all the members elected to each house, as
2-18 provided by Section 39, Article III, Texas Constitution. If this
2-19 Act does not receive the vote necessary for immediate effect, this
2-20 Act takes effect September 1, 2019.

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