

BILL ANALYSIS

C.S.S.B. 364
By: Watson
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that childhood obesity is an increasingly pervasive problem across Texas. Considering the amount of time children spend in school during the early years of their lives, it has been suggested that schools are an ideal setting to promote health and foster physical activity to counter the issue of childhood obesity. C.S.S.B. 364 seeks to address this problem by providing for model recess policies developed by the Department of State Health Services school health advisory committee and the implementation of such policies at the campus level.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 364 amends the Education Code to require the Department of State Health Services school health advisory committee to develop, not later than January 1, 2020, model policies for the recess period during the school day that encourage constructive, age-appropriate outdoor playtime. The bill requires the model policies to include guidelines for outdoor equipment and facilities on public school campuses that maximize the effectiveness of outdoor physical activity. The bill requires the board of trustees of each public school district, after reviewing the model recess policies and the policy recommendations of the local school health advisory council but not later than May 1, 2020, to adopt a recess policy based on those model policies and recommendations. The bill requires the board to review and, if necessary, revise the recess policy at least every five years. The bill 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. The bill requires each district campus subject to the district recess policy to implement the adopted policy not later than the beginning of the 2020-2021 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 364 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute includes a specification that the model recess policies to be developed by the advisory committee are policies that encourage constructive, age-appropriate outdoor playtime. The substitute revises the topics for which the model policies must include guidelines.

The substitute includes a specification that the recess policy adopted by a district is based on the advisory committee's model policies and local school health advisory council recommendations.

The substitute does not include a requirement for a local school health advisory council to consider the advisory committee's model recess policies in making the council's recommendations to the applicable district regarding the importance of daily recess for elementary school students.