

SUBJECT: Requiring policies on the recess period in public schools

COMMITTEE: Public Education — favorable, without amendment

VOTE: 12 ayes — Huberty, Bernal, Allen, Allison, Ashby, K. Bell, M. González, K. King, Meyer, Sanford, Talarico, VanDeaver

0 nays

1 absent — Dutton

WITNESSES: For — Christel Erickson Collins, Austin Justice Coalition; Claire Bocchini, Doctors for Change; Joseph McMahan, Mission: Readiness; (*Registered, but did not testify*: Michelle Smith, Action for Healthy Kids; Andrea Chevalier, Association of Texas Professional Educators; Mandi Kimball, Children At Risk; Jo DePrang, Children's Defense Fund-Texas; Lee Spiller, Citizens Commission on Human Rights; Bill Kelly, City of Houston Mayor's Office; Libby McCabe, Early Matters Dallas; Angela Smith, Fredericksburg Tea Party; Tim Schauer, Healthy Living Matters; Jay Propes, IHRSA; Betsy Singleton, League of Women Voters of Texas; Freddy Warner, Memorial Hermann Health System; Christine Yanas, Methodist Healthcare Ministries of South Texas, Inc.; Eric Kunish and Jill McFarland, National Alliance on Mental Illness Austin; Alissa Sughrue, National Alliance on Mental Illness-Texas; Will Francis, National Association of Social Workers-Texas Chapter; Josette Saxton, Texans Care for Children; Ted Raab, Texas American Federation of Teachers; Amanda List, Texas Appleseed; Paige Williams, Texas Classroom Teachers Association; Troy Alexander, Texas Medical Association; Clayton Travis, Texas Pediatric Society, Partnership for a Healthy Texas; Kyle Ward, Texas PTA; Lisa Dawn-Fisher, Texas State Teachers Association; Joel Romo, The Cooper Institute; Nataly Saucedo, United Ways of Texas; and 16 individuals)

Against — (*Registered, but did not testify*: Adam Cahn, Cahnman's Musings; Buck Gilcrease, Texas School Alliance)

On — (*Registered, but did not testify*: Crystal Dockery, Texas Association of Community Schools; Monica Martinez, Texas Education Agency; Mark Terry, Texas Elementary Principals and Supervisors Association)

DIGEST:

HB 455 would require the Texas Education Agency (TEA) to develop model policies on the recess period during the school day that encouraged constructive, age-appropriate outdoor playtime. The model policies would have to include guidelines for outdoor equipment and facilities on public school campuses that maximized the effectiveness of outdoor physical activity. TEA would develop the policies by January 1, 2020.

The bill also would require the board of trustees of each school district to adopt a recess policy based on TEA's model policies by May 1, 2020. The board would be required to review and, if necessary, revise the policy at least every five years. The recess policy would have to specify the required number of minutes of weekly unstructured playtime and whether a student's recess time could be withheld as a form of student discipline.

Each campus subject to a school district recess policy would be required to implement the adopted policy by the beginning of the 2020-2021 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS
SAY:**

HB 455 would help improve the health and fitness of Texas children and youth by requiring schools to implement recess policies that encouraged physical activity.

Increased physical activity has many benefits and could help improve students' mental and physical health, improve their academic performance, and combat childhood obesity in Texas. As a result, the bill could lead to better health outcomes for students and decreased health care costs to the state.

By requiring the Texas Education Agency to develop a model policy and having school districts use that model policy as the basis for their own, the bill would avoid burdening school districts and would allow for policy variation based on local needs. The bill would not make any requirement for the number of minutes dedicated to a recess period, instead leaving that up to each school district.

Rather than prohibiting schools from withholding recess as a form of punishment outright, the bill would leave that decision up to school districts' jurisdiction and instead require a specific stipulation on the issue in schools' recess policies.

OPPONENTS
SAY:

HB 455 would require the Texas Education Agency to develop policies for recess, but recess is not an issue that requires centralized, statewide planning and would be better left to individual school districts.

If the bill led to school districts mandating additional recess time each week, the change could cut into instructional time. Schools already struggle to fit all necessary curriculum requirements into available classroom time.

OTHER
OPPONENTS
SAY:

HB 455 should prohibit schools from withholding recess as a form of punishment. Policies that allow this punishment often disproportionately affect boys, students of color, and students with disabilities.