

## House Bill 83

By: Representatives Douglas of the 78<sup>th</sup>, Trammell of the 132<sup>nd</sup>, Setzler of the 35<sup>th</sup>, Frye of the 118<sup>th</sup>, Wilensky of the 79<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act,"  
3 so as to provide for recess for students in kindergarten and grades one through five; to  
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
8 relating to miscellaneous provisions under the "Quality Basic Education Act," is amended  
9 by revising Code Section 20-2-323, relating to unstructured break time for students in  
10 kindergarten through grade eight, as follows:

11 "20-2-323.

12 (a) Beginning in the 2019-2020 school year, each elementary school shall schedule recess  
13 for all students in kindergarten and grades one through five every school day; provided,  
14 however, that recess shall not be required on any day on which a student has had physical  
15 education or structured activity time. Such recess shall include an average of 30 minutes  
16 per day of supervised unstructured activity time, preferably outdoors. Local boards of  
17 education shall establish written policies to ensure that recess is a safe experience for  
18 students, that recess is scheduled so that it provides a break during academic learning, and  
19 that recess is not withheld as a punishment.

20 (b) Each ~~By January 1, 2005, each~~ local board of education shall establish written policies  
21 allowing or prohibiting unstructured break time for students in ~~kindergarten and grades one~~  
22 ~~six~~ through eight. If the policies allow one or more breaks, the policies shall include but  
23 shall not be limited to the following matters:

24 (1) The school personnel who will be authorized to decide the length, frequency, timing,  
25 and location of breaks;

- 26 (2) Whether breaks can be withheld from students for disciplinary or academic reasons  
27 and, if breaks can be withheld, under what conditions;
- 28 (3) How to ensure break time is a safe experience for students, including the  
29 responsibility for supervision of students; and
- 30 (4) How to ensure that break time is scheduled so as to provide a support for academic  
31 learning.
- 32 Local boards shall provide a copy of such policies to the State Board of Education."

33 **SECTION 2.**

34 All laws and parts of laws in conflict with this Act are repealed.