

Senate Bill 122

By: Senators Harrell of the 40th, Halpern of the 39th, Parent of the 42nd, Butler of the 55th, Merritt of the 9th 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 regarding the "Quality Basic Education Act,"
3 so as to provide for scheduled recess periods of 30 minutes each school day for students in
4 kindergarten through grade eight; to provide that recess periods shall be considered
5 instructional time to avoid lengthening the school day; to provide that recess periods shall
6 not be withheld from students for disciplinary purposes; to provide for policies of local
7 boards; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

14 "20-2-323.

15 By January 1, ~~2005~~ 2022, each local board of education shall establish written policies
16 ~~allowing or prohibiting unstructured break time for students in kindergarten and grades one~~

S. B. 122

- 1 -

17 ~~through eight. If the policies allow one or more breaks, the policies that provide for~~
18 mandatory time for all students in kindergarten through grade eight to have a daily
19 scheduled recess period consisting of at least 30 minutes of supervised, unstructured
20 activity time, with a preference stated in such policies for the recess period to occur
21 outdoors. Recess periods required by this Code section shall be considered instructional
22 time for purposes of determining school day length. Recess periods shall not be withheld
23 from a student for any disciplinary purpose. The policies required by this Code section
24 shall include provisions which address, but shall not be limited to, the following matters:
25 (1) The school personnel who will be authorized to decide the ~~length, frequency, timing,~~
26 ~~and location of breaks~~ recess periods and under what limited circumstances a recess
27 period may be conducted indoors;
28 (2) ~~Whether breaks can be withheld from students for disciplinary or academic reasons~~
29 ~~and, if breaks can be withheld, under what conditions;~~
30 (3)(2) How to ensure ~~break time~~ the recess period is a safe experience for students,
31 including the responsibility for supervision of students; and
32 (4)(3) How to ensure that ~~break time is~~ recess periods are scheduled so as to provide a
33 support for other academic learning instruction.
34 Local boards shall provide a copy of such policies to the State Board of Education."

35

SECTION 2.

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