

House Bill 1283 (COMMITTEE SUBSTITUTE)

By: Representatives Douglas of the 78th, Frye of the 118th, Williams of the 148th, Hogan of the 179th, Evans of the 57th, 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 local board of education policies allowing unstructured break time; to provide
5 for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

12 "20-2-323.

13 (a) Beginning in the 2022-2023 school year, each elementary school shall schedule recess
14 for all students in kindergarten and grades one through five every school day; provided,
15 however, that recess shall not be required on any school day on which a student has had
16 physical education or structured activity time or if reasonable circumstances impede such

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17 recess, such as inclement weather when no indoor space is available, assemblies or field
18 trips exceeding their scheduled duration, conflicts occurring at the scheduled recess time
19 over which the classroom teacher has no control, or emergencies, disasters, or acts of God.

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 through eight. ~~If the policies allow one or more breaks, the~~ 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; provided, however, that breaks,
28 including, but not limited to, recess shall not be withheld from students in kindergarten
29 and grades one through five for disciplinary or academic reasons;

30 (3) How to ensure break time is a safe experience for students, including the
31 responsibility for supervision of students; and

32 (4) How to ensure that break time is scheduled so as to provide a support for academic
33 learning.

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.