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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
56th Legislature, 1st Session, 2023

Bill Number	<u>SB137</u>	Sponsor	<u>Neville</u>
Tracking Number	<u>.223329.1</u>	Committee Referrals	<u>SEC/SFC</u>
Short Title	<u>Require 30-Minute Recess for Some Grades</u>		
Analyst	<u>Condon</u>	Original Date	<u>1/30/2023</u>
		Last Updated	<u></u>

BILL SUMMARY

Senate Bill 137 amends the Public School Code to require schools to provide at least thirty minutes of unstructured, child-directed, supervised recess time each day for students in kindergarten through third grade. The required 30-minutes cannot be included as part of the instructional day, and will be in addition to physical education classes. Recess time may be aligned with programs involving character development, social-emotional learning, positive behavior and bullying prevention.

FISCAL IMPACT

The bill does not contain an appropriation.

SUBSTANTIVE ISSUES

Benefits of recess. Research continues to show that recess plays a critical role in a child's day at school and is tied to a variety of positive outcomes in classroom performance and how students relate to their peers. The Centers for Disease Control and Prevention (CDC) has found that students who are physically active tend to have better grades, school attendance, classroom behaviors, and cognitive performance. Specifically, [CDC](#) data has shown that recess helps students by increasing their level of physical activity, improving their memory, attention, and concentration, helping them stay on-task in the classroom, reducing disruptive behavior in the classroom, and improving their social and emotional development (e.g., learning how to share and negotiate).

The American Academy of Pediatrics echoes the benefits of recess in their report, [the Crucial Role of Recess in School](#), and believes that recess is a crucial and necessary component of a child's development. They further emphasize that because of the meaningful role of recess, it should always complement physical education, not substitute for it, and should never be withheld for punitive or academic reasons.

Current recess policies in NM schools. Recess is not currently addressed in state statute but is addressed in policies and guidelines shared by the Public Education Department (PED) to school districts. PED releases a Wellness Policy Formation and Implementation Guide which includes

current guidelines, both state and federal, that govern recess requirements, and additionally provides information on best and highly effective practices that schools can opt to offer their students. The [2021 Wellness Guide](#) requires elementary school students have at least 15 minutes a day of supervised recess (not including time spent getting to and from the playground), and enforces that students will not be excluded from recess for disciplinary or academic reasons. The guide highlights that to model highly effective, but not mandated, practices, elementary school students should have two supervised recess periods per day totaling at least 30 minutes.

ADMINISTRATIVE IMPLICATIONS

Schools not already offering 30-minute recess to students in grades kindergarten through 3rd grade would need to determine how to meet the requirements established in SB137. It is not clear how many schools would need to alter student and teacher scheduling to provide 30-minute recess.

SOURCES OF INFORMATION

- LESC Files

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