SUMMARY—Revises provisions relating to recess for pupils. (BDR 34-423)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.

Effect on the State: May have Fiscal Impact.

Effect on the State Highway Fund: No.

AN ACT relating to education; providing for pupils enrolled in elementary school to receive a certain amount of outdoor recess each school day, with certain exceptions; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the board of trustees of each school district to provide instruction in physical education to the pupils enrolled in the public schools within the school district. (NRS 389.018) This bill requires the board of trustees of each school district and the governing body of certain charter schools to adopt a policy requiring at least 30 minutes of outdoor recess each school day for pupils enrolled in kindergarten and grades 1 through 5. This bill also requires the policy to include provisions: (1) exempting certain pupils who are unable to participate in recess; (2) prohibiting the denial of recess for reasons related to academics or behavior, except in certain circumstances; and (3) requiring certain alternatives for outdoor recess when weather or other conditions make outdoor recess unsafe or otherwise inappropriate.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN

SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 388 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The board of trustees of each school district shall adopt a policy to require each elementary school in the school district to provide recess each school day to pupils enrolled in kindergarten and grades 1 to 5, inclusive.

2. The governing body of each charter school that provides instruction to pupils enrolled in kindergarten or grade 1, 2, 3, 4 or 5 shall adopt a policy to require each such school to provide recess each school day to each such pupil.

3. The policy adopted pursuant to subsection 1 or 2 must include, without limitation:

(a) A requirement that each elementary school within the school district or the charter school, as applicable, provide at least 30 minutes of outdoor recess each school day to each pupil enrolled in kindergarten or grade 1, 2, 3, 4 or 5;

(b) A provision for an exemption if a pupil is unable to participate in recess because of an illness or a disability or is otherwise physically unable to participate in recess;

(c) A provision prohibiting a teacher, an administrator or any other person from denying a pupil the outdoor recess required pursuant to paragraph (a) for reasons relating to behavior or academics, except when:

(1) An academic goal cannot reasonably be achieved through other means; or

(2) The safety or welfare of the pupil or other persons cannot reasonably be protected through other means; and

(d) A provision for substituting appropriate indoor activities for the outdoor recess required pursuant to paragraph (a) in the event that weather or other conditions make outdoor recess unsafe or otherwise inappropriate.

Sec. 2. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to this act.

Sec. 3. 1. This section becomes effective upon passage and approval.

2. Sections 1 and 2 of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2027, for all other purposes.