

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H2/28/19

A Bill

HOUSE BILL 1409

5 By: Representatives Della Rosa, *Vaught, Barker, Beck, Bentley, Capp, Cavanaugh, Christiansen,*
6 *Clowney, Coleman, C. Cooper, Crawford, A. Davis, Dotson, Evans, C. Fite, V. Flowers, Gates, Glover,*
7 *M. Hodges, Hollowell, Lundstrum, McCullough, McNair, Miller, Payton, Richardson, Richmond, Scott,*
8 *B. Smith, Warren, Wing*
9 By: Senators Elliott, E. Cheatham, L. Eads, M. Johnson, G. Stubblefield

For An Act To Be Entitled

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11
12 AN ACT CONCERNING UNSTRUCTURED SOCIAL TIME IN
13 SCHOOLS; TO ALLOW FOR EXTENDED LEARNING OPPORTUNITIES
14 THROUGH UNSTRUCTURED SOCIAL TIME; TO REQUIRE THAT A
15 CERTAIN AMOUNT OF INSTRUCTIONAL TIME BE USED FOR
16 RECESS; TO CONSIDER THE SUPERVISION OF STUDENTS
17 DURING UNSTRUCTURED SOCIAL TIME AS AN ACTIVITY WITH
18 AN INSTRUCTIONAL PURPOSE; AND FOR OTHER PURPOSES.

Subtitle

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22 TO ALLOW FOR EXTENDED LEARNING
23 OPPORTUNITIES THROUGH UNSTRUCTURED SOCIAL
24 TIME; TO REQUIRE A CERTAIN AMOUNT OF TIME
25 FOR RECESS; AND TO CONSIDER SUPERVISION
26 DURING UNSTRUCTURED SOCIAL TIME AS
27 INSTRUCTIONAL.

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30 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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32 SECTION 1. DO NOT CODIFY. Legislative findings.

33 The General Assembly finds that:

34 (1) Public school students need the ability to learn and grow
35 from one another in a social setting;

36 (2) Often, exchanges between public school students with respect



1 to learning and social awareness occur during recess;

2 (3) Public school students need more opportunities for physical
3 activity during the school day in order to promote healthy and active
4 lifestyles;

5 (4) Public school students should be given a sufficient daily
6 break in the form of recess, which would allow them to fully focus while they
7 are in class;

8 (5) Educational leaders cannot allow for a sufficient amount of
9 time in the school day for recess within the current construct of the
10 instructional requirements and time allotted in a school day, which generates
11 decreased focus in class and fewer opportunities to develop social awareness
12 among public school students;

13 (6) Due to numerous mandates, there has been a steady decline in
14 the amount of time dedicated to recess for elementary public school students;
15 and

16 (7) To address the increased need for public school student
17 social awareness and learning opportunities beyond the classroom, recess
18 should be included as part of the instructional school day.

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20 SECTION 2. Arkansas Code § 6-16-102(a), concerning a school day, is
21 amended to add an additional subdivision to read as follows:

22 (5)(A) At least forty (40) minutes of instructional time per
23 school day shall be used for recess during the school day for students
24 attending public elementary schools.

25 (B) Recess shall:

26 (i) Consist of supervised, unstructured social time
27 during which public school students may communicate with each other;

28 (ii) Occur outdoors when weather and other relevant
29 conditions permit; and

30 (iii) Include without limitation opportunities for
31 free play and vigorous physical activity, regardless of whether recess occurs
32 indoors or outdoors.

33 (C) The remaining instructional hours required under this
34 section shall be distributed across academic content areas as determined by a
35 public school district board of directors.

36 (D) A public school principal may use discretion to adjust

1 recess time required under this section due to special circumstances or
2 programs that interrupt a regular school day.

3 (E) The requirements under this subdivision (a)(5) of this
4 section shall not be waived by the department or by the State Board of
5 Education.

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7 SECTION 3. Arkansas Code § 6-17-117(b), concerning noninstructional
8 duties of teachers, is amended to read as follows:

9 (b) As used in this section:

10 (1) "Noninstructional duties" means the supervision of students
11 before or after the instructional day begins or ends for students or for the
12 supervision of students during breakfasts, lunches, ~~recesses~~, or scheduled
13 breaks; and

14 (2) "Instructional purposes" means activities initiated by the
15 teacher related to teaching duties, including, ~~but not limited to,~~ without
16 limitation contacting parents, assessing student performance, documenting
17 student performance, organizing the classroom, preparing instructional
18 materials, supervising students during recess, and other teaching
19 responsibilities related to instructional planning and the direct instruction
20 of students.

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/s/Della Rosa

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