

# ASSEMBLY, No. 4044

## STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED JANUARY 12, 2015

**Sponsored by:**

**Assemblyman ERIK PETERSON**

**District 23 (Hunterdon, Somerset and Warren)**

**Assemblyman JOSEPH A. LAGANA**

**District 38 (Bergen and Passaic)**

**Assemblyman DAVID P. RIBLE**

**District 30 (Monmouth and Ocean)**

**Assemblywoman MILA M. JASEY**

**District 27 (Essex and Morris)**

**Co-Sponsored by:**

**Assemblymen Diegnan and Wolfe**

**SYNOPSIS**

Requires a public school district to provide a daily recess period for students in grades kindergarten through 5.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 11/17/2015)**

1 AN ACT concerning recess in public elementary schools and  
2 supplementing chapter 35 of Title 18A of the New Jersey  
3 Statutes.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

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8 1. The Legislature finds and declares that:

9 a. Currently 16% of the nation's children are overweight, and  
10 an increasing number of children are developing cardiovascular risk  
11 factors and type 2 diabetes;

12 b. The United States Department of Health and Human  
13 Services, the United States Department of Education, and the  
14 National Association for Sport and Physical Education recommend  
15 that school-aged children should participate in at least 60 minutes  
16 per day of moderate to vigorous physical activity;

17 c. Participation in a regularly scheduled recess period provides  
18 an opportunity for children to engage in essential physical activity  
19 and to establish healthy habits early in life;

20 d. Recess also affords a child the opportunity to practice skills  
21 such as cooperation, communication, and creativity, and a break  
22 from the day's routine improves attention, focus, behavior, and  
23 learning in the classroom; and

24 e. Because recess is such a vital component of a  
25 comprehensive school physical activity program and the total  
26 educational experience for elementary school students, it is  
27 therefore in the best interest of the elementary students in this State  
28 that they be provided with a daily recess period.

29  
30 2. Beginning with the 2014-2015 school year, a public school  
31 district shall provide a daily recess period of at least 20 minutes for  
32 students in grades kindergarten through 5. The recess period shall  
33 be held outdoors, if feasible.

34 The recess period shall not be used to meet the course  
35 requirements set forth in N.J.S.18A:35-5.

36  
37 3. This act shall take effect immediately.

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STATEMENT

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42 This bill requires that a public school district must provide a  
43 daily recess period of at least 20 minutes for students in grades  
44 kindergarten through 5. The recess period is to be held outdoors, if  
45 feasible. The bill also provides that recess will not be permitted to  
46 be used to meet the current statutory requirements regarding the  
47 provision of health, safety, and physical education courses in public  
48 schools, which are set forth in State law at N.J.S.18A:35-5.