

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

[Second Reprint] **SENATE, No. 847**

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 18, 2018

The Assembly Education Committee reports favorably Senate Bill No. 847 (2R) with committee amendments.

As amended, this bill requires a public school district to provide a daily recess period of at least 20 minutes for students in grades kindergarten through 5. The recess period is to be held outdoors, if feasible. Under the bill, a student may not be denied recess for any reason, other than as a consequence of a violation of the district's code of student conduct, including a harassment, intimidation, or bullying (HIB) investigation, and a student may not be denied recess more than twice per week. If a student is denied recess, however, the student must be provided restorative justice activities during the recess period. The bill's provisions would not prohibit school staff from denying recess based on medical advice or a student's 504 plan. Also, a school district would not be required to provide a recess period on a substantially shortened school day. The bill provides that recess will not be permitted to be used to meet the current statutory requirements regarding the provision of health, safety, and physical education courses in public schools, which are set forth in State law at N.J.S.18A:35-5.

The bill defines "restorative justice activities" as activities that are designed to improve the socioemotional and behavioral responses of students through the use of more appropriate, and less punitive, interventions thereby establishing a more supportive and inclusive school culture.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 4076, which also was reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- require that a student who is denied recess must receive restorative justice activities during that recess period;

- mandate that a student may not be denied recess more than twice a week. Prior to the amendment, the bill only required that school districts avoid denying a student recess more than twice a week; and
- changed the effective date from the 2019-2020 school year to immediately. Under the bill, school districts would be required to comply with the bill's provisions beginning in the first full school year following the bill's effective date.