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**ARIZONA STATE SENATE**  
**Forty-eighth Legislature, Second Regular Session**  
**April 30, 2008**

AMENDED

FACT SHEET FOR H.B. 2037  
Minimum recess and lunch periods

**Purpose**

Requires school districts to provide 30 minutes of recess daily in addition to a minimum 20-minute lunch period to each pupil in grades one through six, beginning in school year 2009-2010.

**Background**

Laws 2005, Chapter 67, created the Mandatory Physical Education Task Force (Task Force) to develop an implementation plan for a uniform physical education program in kindergarten programs and grades one through eight with consideration given to time constraints, program content, staffing, facilities and resource requirements, fiscal considerations and potential exemptions. In December 2005, the Task Force recommended a statewide model that combined physical education and physical activity models and provided per-pupil funding over a two-year phase-in for 60 minutes of physical education per week in the first year, increasing to 90 minutes in the second year with an additional physical activity program in both years.

Laws 2006, Chapter 326, appropriated \$600,000 from the state General Fund in FY 2006-2007 for grants to at least three schools for a two-year Physical Education Pilot Program (Pilot Program) for students in grades one through twelve to participate in physical education for at least 150 minutes during the school week for school year 2006-2007 and 2007-2008. The Arizona Department of Education must report to the Governor and Legislature by December 15, 2008, on the effectiveness and cost of the Pilot Program using self-reported data from the four selected schools: 1) Guerrero Elementary School (Mesa Unified); 2) Acacia Elementary School (Vail Unified); 3) Elfrida Elementary School (Elfrida Elementary) and 4) Kyrene de Las Lomas Elementary School (Kyrene Elementary).

Many states have recently introduced or enacted laws prescribing recess, physical activity or physical education programs in schools. In June 2007, Texas enacted a law that requires 30 minutes of moderate-to-vigorous daily physical activity for elementary and middle school students. Additionally, the Texas law

required recommendations to schools on the importance of daily recess for elementary school students, specifically unstructured free play.

Currently, it is unknown to what extent elementary public schools in Arizona have incorporated or removed recess periods from their daily schedule. H.B. 2037 requires elementary schools to incorporate 30 minutes into their daily schedule for students in grades one through six. For schools that do not currently offer the required minutes, the following options may apply: 1) replacement of instructional time with recess period(s); 2) extension of the school day to maintain the same instructional hours and add recess period(s); or 3) reduction of the lunch period and add recess period(s).

The fiscal impact to the state General Fund is undeterminable at this time. Lunch periods and recess periods may not be included as part of the instructional hours or funded unless the student is a child with a disability and the child's individualized education program requires instruction during those periods.

#### Provisions

1. Requires school districts to provide 30 minutes of recess daily in addition to at least a 20-minute lunch period to each pupil in grades one through six, beginning in school year 2009-2010.
2. Defines "recess" and "lunch period."
3. Becomes effective on the general effective date.