

Committee on Children JOINT FAVORABLE REPORT

Bill No.: HB-5352

AN ACT PROHIBITING THE WITHHOLDING OF RECESS AS A FORM OF

Title: STUDENT DISCIPLINE.

Vote Date: 3/15/2022

Vote Action: Joint Favorable Substitute

PH Date: 3/8/2022

File No.:

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

Committee on Children

CO-SPONSORS OF BILL:

Rep. Lucy Dathan
Rep. Brian Lanoue
Rep. Robin E. Comey

REASONS FOR BILL:

H.B. 5352 will prevent a school employee from taking recess away from students in kindergarten through fifth grade as a form of discipline. This bill is designed to ensure that children are explicitly permitted time during the day to exercise and not have to focus in the classroom. This bill is in response to children being disciplined in such a way that their free time to move their bodies is withheld when exercise is what is best to improve their attention spans and behavior.

The substitute language for this bill inserts that starting for the school year starting July 1, 2022, each local and regional board of education shall adopt a policy concerning the circumstances when a school employee may prevent or restrict a student from participating in the entire time devoted to exercise during the school day. Instances in which prevention or restriction is permitted include when a student poses a danger to other students or school personnel, the restriction is limited to the period of physical exercise that is the shorted if there are more than one periods devoted to exercise during the school day as long as it's at least 20 minutes in duration, doesn't include any provisions that are unreasonably punitive, distinguishes between discipline assigned prior to the start of recess or during such time, and not permit prevention or restriction if a student doesn't complete their work on time or is

otherwise reflective of a student's academic performance. This substitute language explicitly states the times in which an educator may remove or prevent recess, so there is policy in place that protects a child's right to exercise during their school day.

RESPONSE FROM ADMINISTRATION/AGENCY:

Acting Child Advocate of the Office of the Child Advocate, Sarah Healy Eagan, strongly supports this bill. Play is an essential predicate for and means of learning for children. The lack of adequate physical and social-emotional play opportunities in school negatively impacts children, and recess shouldn't be withheld unless unavoidable due to immediate safety concerns.

Commissioner Designate of the State Department of Education, Charlene Russell-Tucker, supports this bill with recommendations to change the language conducive to misinterpretation that suspended students are denied access. Additionally, SDE recommends that language is necessary to indicate that a student can be removed from recess if their behavior warrants removal (to preserve health and safety).

Vice President of the Connecticut Education Association, Joslyn Delancey, is concerned about the "blanket prohibition" on withholding recess, indicating safety reasons. This bill will additionally remove the autonomy of teachers and restrict reasonable options for educators.

NATURE AND SOURCES OF SUPPORT:

Executive Director of the Connecticut Recreation and Parks Association, Valerie Stolfi Collins, supports this bill. CRPA believes this bill will ensure all children in elementary school full access to recess, and recess is important to the physical and social emotional health of every child.

NATURE AND SOURCES OF OPPOSITION:

Rep. Dauphinais, Rep. Boyd, and Rep. Green oppose the bill, expressing that they believe mandates should not disarm educators of tools they may utilize in a time where teachers are under increased responsibilities and stress.

Reported by: Molly Lukiwsky

Date: 3/22/2022