

# STATE OF NEW YORK

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1044

2021-2022 Regular Sessions

## IN SENATE

January 6, 2021

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Introduced by Sen. RAMOS -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to requiring school districts to post wellness policies on the school district's website and requiring school districts to adopt a policy on recess for elementary school students

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative intent. The legislature finds that students at  
2 the elementary level must have the opportunity to participate in daily  
3 recess to promote lifelong health. The legislature also finds that  
4 recess promotes health and fitness during adolescence which reduces body  
5 fat and other risk factors for various health conditions. Additionally,  
6 regular moderate to rigorous physical activity has brain health benefits  
7 that are fundamental for the success of school aged children. As child-  
8 hood obesity rates rise, it is important to ensure that children have  
9 the time for physical activity. Insufficient physical activity and  
10 excessive calories consumed is well-known as a critical factor for this  
11 alarming increase in overweight and obese children, therefore the legis-  
12 lature finds that we must continue to encourage our children to engage  
13 in physical activity so they can develop a healthy mind and body and  
14 promote lifelong health.

15 § 2. The education law is amended by adding a new section 817 to read  
16 as follows:

17 § 817. School district wellness policies; recess; website. Each school  
18 district shall post the school district's current wellness policy on the  
19 school district's website. Each school district wellness policy shall  
20 include the total number of minutes of recess each day for students in  
21 kindergarten through fifth grade; provided, however, that such policy  
22 shall provide for at least twenty minutes of recess time dedicated for

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 physical activity on all or most days of the school year and that such  
2 recess time shall not also be used as meal time.  
3 § 3. This act shall take effect on the first of July next succeeding  
4 the date upon which it shall have become a law.