



General Assembly

Substitute Bill No. 5352

February Session, 2022



**AN ACT CONCERNING THE DEVELOPMENT OF A POLICY
GOVERNING THE WITHHOLDING OF RECESS AS A FORM OF
STUDENT DISCIPLINE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-221o of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2022*):

3 (a) Each local and regional board of education shall require each
4 school under its jurisdiction to (1) offer all full day students a daily lunch
5 period of not less than twenty minutes, and (2) include in the regular
6 school day for each student enrolled in elementary school time devoted
7 to physical exercise of not less than twenty minutes in total, except that
8 a planning and placement team may develop a different schedule for a
9 child requiring special education and related services in accordance
10 with chapter 164 and the Individuals With Disabilities Education Act,
11 20 USC 1400 et seq., as amended from time to time. In the event of a
12 conflict with this section and any provision of chapter 164, such other
13 provision of chapter 164 shall be deemed controlling. Nothing in this
14 subsection shall prevent a local or regional board of education from
15 including an additional amount of time, beyond the twenty minutes
16 required for physical exercise, devoted to undirected play during the
17 regular school day for each student enrolled in elementary school.

18 (b) [Not later than October 1, 2019, each local and regional board of
19 education shall adopt a policy, as the board deems appropriate,
20 concerning the issue regarding any school employee being involved in
21 preventing a student from participating in the entire time devoted to
22 physical exercise or undirected play in the regular school day, pursuant
23 to subsection (a) of this section, as a form of discipline.] For the school
24 year commencing July 1, 2022, and each school year thereafter, each
25 local and regional board of education shall adopt a policy, as the board
26 deems appropriate, concerning the circumstances when a school
27 employee may prevent or otherwise restrict a student from participating
28 in the entire time devoted to physical exercise in the regular school day,
29 pursuant to subsection (a) of this section, as a form of discipline. Such
30 policy shall (1) permit such prevention or restriction (A) when a student
31 poses a danger to the health or safety of other students or school
32 personnel, or (B) when such prevention or restriction is limited to the
33 period devoted to physical exercise that is the shortest in duration if
34 there are two or more periods devoted to physical exercise in a school
35 day, provided the period of time devoted to physical exercise that such
36 student may participate in during such school day is at least twenty
37 minutes in duration, (2) only permit such prevention or restriction once
38 during a school week, unless such student is a danger to the health or
39 safety of other students or school personnel, (3) not include any
40 provisions that are unreasonably restrictive or punitive, (4) distinguish
41 between (A) discipline imposed prior to the start of such time devoted
42 to physical exercise and discipline imposed during such time devoted
43 to physical exercise, and (B) discipline that (i) prevents or otherwise
44 restricts a student from participating in such time devoted to physical
45 exercise prior to such time devoted to physical exercise, and (ii) methods
46 used to redirect a student's behavior during such time devoted to
47 physical exercise, and (5) not permit such prevention or restriction if a
48 student does not complete such student's work on time or for such
49 student's academic performance. For purposes of this section, "school
50 employee" means [(1)] (A) a teacher, substitute teacher, school
51 administrator, school superintendent, guidance counselor, school
52 counselor, psychologist, social worker, nurse, physician, school

53 paraprofessional or coach employed by a local or regional board of
54 education or working in a public elementary, middle or high school; or
55 [(2)] (B) any other individual who, in the performance of his or her
56 duties, has regular contact with students and who provides services to
57 or on behalf of students enrolled in a public elementary, middle or high
58 school, pursuant to a contract with the local or regional board of
59 education.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	10-221o

KID *Joint Favorable Subst.*