

Amendment to SB 578

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to play-based curriculum and physical education curriculum.

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5 Amend the bill by replacing section 2 with the following:

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7 2 New Paragraph; Recess Physical Education Requirement. Amend RSA 189:10 by inserting  
8 after paragraph III the following new paragraph:

9 IV. The school board shall ensure that recess is included in the physical education  
10 curriculum for all students in grades kindergarten through eighth grade, with the exception of  
11 schools where eighth grade is a part of the high school. Elementary schools and middle schools, as  
12 described in RSA 189:25, may count recess as instructional time for pupils in kindergarten through  
13 eighth grade.

14 (a) For the purposes of this paragraph, recess shall be defined as physical activity that  
15 promotes fitness and well-being which shall include unstructured play outside, unless weather  
16 conditions negatively impact the safety of physical activity taking place outside.

17 (b) For the purposes of this paragraph, recess shall not include any time considered  
18 instructional time for a physical education class.

19 (c) For the purposes of this paragraph, recess shall not involve the use of electronic  
20 devices by students, including but not limited to cell phones, laptops, tablets, and video game  
21 consoles or devices.

22 (d) A pupil shall not be denied recess by a member of the school's staff unless the pupil's  
23 participation poses an immediate threat to the physical safety of the pupil or to the physical safety of  
24 one or more of the pupil's peers. If a pupil's recess period is denied for safety concerns, school staff  
25 shall make all reasonable efforts to resolve such threats and minimize exclusion from recess to the  
26 greatest extent possible.

2026-0509s

AMENDED ANALYSIS

This bill:

- I. Extends play-based curriculum from kindergarten until third grade.
- II. Requires recess for all students from kindergarten until the eighth grade as a part of physical education curriculum.
- III. Defines recess as physical activity that promotes fitness and well-being and prohibits the use of electronic devices during recess.
- IV. Specifies that elementary and middle schools may count recess as instructional time.
- V. Limits withholding pupils from recess unless a pupil's participation poses a physical safety risk.