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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Elementary and Secondary Education Act of 1965 to encourage local educational agencies to provide students with at least one hour of physical activity time during each school day, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BARRETT introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Elementary and Secondary Education Act of 1965 to encourage local educational agencies to provide students with at least one hour of physical activity time during each school day, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress finds the following:

5 (1) According to the Centers for Disease Con-
6 trol and Prevention, in the years 2021–2023, 21
7 percent of American youth were obese.

1 (2) Twenty-five percent of children in the
2 United States are sedentary.

3 (3) The Centers for Disease Control and Pre-
4 vention recommends school-aged children and adoles-
5 cents get at least 60 minutes of exercise every day.

6 (4) Nearly half of type 2 diabetes cases in kids
7 are caused by obesity.

8 (5) Seventy percent of youth with obesity have
9 at least one risk factor for cardiovascular disease.

10 (6) Elementary and middle school recess has
11 declined sharply over the past two decades, espe-
12 cially in lower-income school districts.

13 (7) Regular physical activity and free play im-
14 prove attention, behavior, memory, focus, and aca-
15 demic performance.

16 (8) The findings of the Centers for Disease
17 Control and Prevention and multiple studies show
18 recess reduces disruptions and supports stronger
19 learning without hurting instructional time.

20 **SEC. 2. LOCAL EDUCATIONAL AGENCY PLANS.**

21 Section 1112(b) of the Elementary and Secondary
22 Education Act of 1965 (20 U.S.C. 6312(b)) is amended—

23 (1) in paragraph (12), by striking “and” at the
24 end;

1 (2) by redesignating paragraph (13) as para-
2 graph (14); and

3 (3) by inserting after paragraph (12) the fol-
4 lowing:

5 “(13) if determined appropriate by the local
6 educational agency, how the local educational agency
7 will provide elementary and secondary school stu-
8 dents with at least 60 minutes of physical activity
9 time during each regular school day as described in
10 section 8549D; and”.

11 **SEC. 3. ACTIVITIES TO SUPPORT SAFE AND HEALTHY STU-**
12 **DENTS.**

13 Section 4108(5) of the Elementary and Secondary
14 Education Act of 1965 (20 U.S.C. 7118(5)) is amended—

15 (1) in subparagraph (H)(iii), by striking “or”
16 at the end;

17 (2) in subparagraph (I), by striking the period
18 at the end and inserting “; or”; and

19 (3) by adding at the end the following:

20 “(J) programs or activities that provide
21 students with not less than 60 minutes of daily
22 recess or other periods of unstructured physical
23 activity during the regular school day, con-
24 sistent with the age and developmental needs of
25 students.”.

1 **SEC. 4. PHYSICAL ACTIVITY TIME ELEMENTARY AND SEC-**
2 **ONDARY SCHOOL STUDENTS.**

3 Subpart 2 of part F of title VIII of the Elementary
4 and Secondary Education Act of 1965 (20 U.S.C. 7901
5 et seq.) is amended by adding at the end the following:

6 **“SEC. 8549D. PHYSICAL ACTIVITY TIME FOR ELEMENTARY**
7 **AND SECONDARY SCHOOL STUDENTS.**

8 “(a) REQUIREMENT.—Each local educational agency
9 receiving funds under part A of title I is encouraged estab-
10 lish and maintain a policy pursuant to which students of
11 elementary and secondary schools under the jurisdiction
12 of that agency are provided with at least 60 minutes of
13 physical activity time during each regular school day.

14 “(b) PHYSICAL ACTIVITY TIME DEFINED.—In this
15 section, the term ‘physical activity time’ means time dur-
16 ing which a student is given an opportunity to engage in
17 physical exercise, inclusive of time spend in designated pe-
18 riods of recess and physical education courses.”.