

Multiple Agency Fiscal Note Summary

Bill Number: 5257 S SB	Title: Elementary school recess
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Estimated Cash Receipts

NONE

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Superintendent of Public Instruction	.0	17,000	17,000	17,000	.0	0	0	0	.0	0	0	0
Total \$	0.0	17,000	17,000	17,000	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Total									
Local Gov. Courts									
Loc School dist-SPI	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Other									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Superintendent of Public Instruction	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Val Terre, OFM	Phone: (360) 280-3973	Date Published: Final 3/ 1/2023
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Individual State Agency Fiscal Note

Bill Number: 5257 S SB	Title: Elementary school recess	Agency: 350-Superintendent of Public Instruction
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.1	0.0	0.0	0.0	0.0
Account					
General Fund-State 001-1	17,000	0	17,000	0	0
Total \$	17,000	0	17,000	0	0

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Ailey Kato	Phone: 786-7434	Date: 02/05/2023
Agency Preparation: Tisha Kuhn	Phone: 360 725-6424	Date: 02/24/2023
Agency Approval: Amy Kollar	Phone: 360 725-6420	Date: 02/24/2023
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/24/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Changes compared to SB 5257:

Section 2(1)(a):

1. Removes the requirement that public schools must provide a minimum of 45 minutes of daily recess within the school day when the school day is longer than five hours.
2. Changes language to require public schools must provide a minimum of 30 minutes of daily recess within the school day regardless of the number of hours.

Section 2(1)(c): Removes the previous that indicated that time spent dressing or undressing for recess did not count toward the requirements in this section.

Section 2(2)(a): Language added to require recess to aim to be safe, inclusive, and high quality as described in the model policy and procedure in section 3 of this act.

Section 3(2): Language added encouraging schools districts to strive to provide 45 minutes or more of recess within the school day to provide the most learning, behavior, and mental and physical health benefits for students.

Summary of SSB 5257:

Section 1 (New Section):

Recognizes the importance of recess for elementary school students. Acknowledges that time spent on recess varies throughout the state. Intends to clarify that recess may not be withheld as a disciplinary or punitive action or to have a student complete academic work.

Section 2 (New Section)

Section 2(1)(a): Requires public schools to provide recess for all students in grades K-5 and for all students in grade 6 if they attend an elementary school beginning with the 2024-25 school year. Requires schools to provide a minimum of 30 minutes of daily recess within the school day.

Section 2(1)(b): Allows public schools to provide additional recess before or after school but they may not count that time towards the minimums outlined in Section 1(a).

Section 2(2)(a): Requires recess to be supervised and student directed and must aim to be safe, inclusive, and high quality as described in the model policy and procedure in section 3 of this act.

Section 2(2)(b): Requires recess to be held outside when possible. If held inside, schools are encouraged to provide recess in a area that promotes physical activity.

Section 2(3): Does not allow the daily recess requirement to substitute the physical education requirement under RCW 28A.230.040.

Section 3(New Section)

Section 3(1)(a): Requires WSSDA, with the assistance of OSPI, to review and update a model policy and procedure regarding nutrition, health, and physical activity by August 1, 2024.

Section 3(1)(b): Outlines the requirements of the policy and procedure to include:

1. Aiming to make elementary school recess safe, inclusive and high quality for all students;
2. Promote physical activity breaks for middle and high school students;

3. Be aligned to Section 1 of this act;
4. Require elementary school recess to be scheduled before lunch, whenever possible;
5. Strongly discourage withholding recess as a disciplinary or punitive action except when a student poses a threat to the safety of self or others;
6. Strongly discourage withholding recess to have a student complete academic work;
7. Prohibit using physical activity as punishment.

Section 3(2): By the beginning of the 2024-25 school year, requires school districts to adopt or amend policies and procedures, that at a minimum, incorporate all the requirements described in Section 3(1) and strive to provide 45 minutes or more of recess within the school day to provide the most learning, behavior, and mental and physical health benefits for students.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

No cash receipts impact anticipated.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Section 3(1)(a): Requires WSSDA, with the assistance of OSPI, to review and update a model policy and procedure regarding nutrition, health, and physical activity by August 1, 2024.

WSSDA Impact:

WSSDA estimates a fiscal impact of \$7,500 in FY24 to review and update model policies and procedures regarding nutrition, health, and physical activity.

OSPI Impact:

OSPI estimates it will require 0.05 FTE of a Program Supervisor’s time during the fiscal year to assist WSSDA in reviewing and updating model policies and procedures regarding nutrition, health, and physical activity. OSPI estimates the cost associated with this work to be \$9,500 in FY24.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	17,000	0	17,000	0	0
Total \$			17,000	0	17,000	0	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.1		0.0		
A-Salaries and Wages	5,000		5,000		
B-Employee Benefits	4,000		4,000		
C-Professional Service Contracts					
E-Goods and Other Services	8,000		8,000		
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	17,000	0	17,000	0	0

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Program Supervisor	90,544	0.1		0.0		
Total FTEs		0.1		0.0		0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

No capital budget impact is anticipated.

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 5257 S SB	Title: Elementary school recess	Agency: SDF-School District Fiscal Note - SPI
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

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Legislative Contact: Ailey Kato	Phone: 786-7434	Date: 02/05/2023
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Agency Approval: Amy Kollar	Phone: 360 725-6420	Date: 02/28/2023
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 03/01/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Changes compared to SB 5257:

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Section 2(2)(a): Language added to require recess to aim to be safe, inclusive, and high quality as described in the model policy and procedure in section 3 of this act.

Section 3(2): Language added encouraging schools districts to strive to provide 45 minutes or more of recess within the school day to provide the most learning, behavior, and mental and physical health benefits for students.

Summary of SSB 5257:

Section 1 (New Section):

Recognizes the importance of recess for elementary school students. Acknowledges that time spent on recess varies throughout the state. Intends to clarify that recess may not be withheld as a disciplinary or punitive action or to have a student complete academic work.

Section 2 (New Section)

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Section 2(1)(b): Allows public schools to provide additional recess before or after school but they may not count that time towards the minimums outlined in Section 1(a).

Section 2(2)(a): Requires recess to be supervised and student directed and must aim to be safe, inclusive, and high quality as described in the model policy and procedure in section 3 of this act.

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5. Strongly discourage withholding recess as a disciplinary or punitive action except when a student poses a threat to the safety of self or others;
6. Strongly discourage withholding recess to have a student complete academic work;
7. Prohibit using physical activity as punishment.

Section 3(2): By the beginning of the 2024-25 school year, requires school districts to adopt or amend policies and procedures, that at a minimum, incorporate all the requirements described in Section 3(1) and strive to provide 45 minutes or more of recess within the school day to provide the most learning, behavior, and mental and physical health benefits for students.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

No cash receipts impact anticipated.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

This bill requires public schools to provide a minimum of 30 minutes of daily recess within the school day for all students in grades K-5 and for all students in grade 6 if they attend an elementary school beginning with the 2024-25 school year.

The fiscal impact to school districts is indeterminate. OSPI assumes the fiscal impact to school districts would vary based on the following:

- Number of public schools that do not currently meet the minimum recess time;
- Number of public schools that would need to hire and/or add additional time for current staff;
- Number of public schools that would need to revise instructional schedules in order to maintain current number of instructional minutes while still meeting the recess time requirements;
- Number of public schools that space capacity limitations both outside and if recess is needed to be held inside; and
- Number of public schools that would need to adopt or amend policies and procedures to include the minimum requirements.

Dependent on the total number of schools per school district, the size of the school, and individual need of each school, OSPI estimates a range from \$0.00 for schools who are currently meeting the recess time requirement to \$331,000 for schools that would need to adjust instructional schedules to account for additional time, staff time, and/or playground equipment.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

No capital budget impact is anticipated.

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.