

NEW JERSEY

N.J. Rev. Stat § 18A:35-4.31 Daily recess period; requirements; exceptions

Effective August 10, 2018

The scorecard was created as part of a policy toolkit that supports advancing recess in schools through state laws. It was developed by the research team, with input from the advisory board, to provide a starting point for advocates and policymakers seeking to improve recess legislation. A score of “0” indicates that the law requires further development. We recommend first incorporating all essential best practices, followed by any enhanced best practices that are appropriate for your state.

New Jersey recess law requires 20 minutes of daily recess for students in grades kindergarten through five.

BEST PRACTICE	LANGUAGE IN LAW	SCORE
ESSENTIAL BEST PRACTICES		
A. Mandates a time requirement of at least 20 minutes of daily recess	A public school district shall provide a daily recess period of at least 20 minutes for students in grades kindergarten through five.	2
B. Inclusive of all students in grades kindergarten-8	A public school district shall provide a daily recess period of at least 20 minutes for students in grades kindergarten through five . <i>Note: The law does not include grades 6-8</i>	1
C. Prohibits schools from withholding recess	A student shall not be denied recess for any reason , except as a consequence of a violation of the district’s code of student conduct, including a harassment, intimidation, or bullying investigation pursuant to P.L.2002, c. 83 (C.18A:37-13 et seq.) . If a student is denied recess, except under conditions set forth in subsection b. of this section, the student shall be provided restorative justice activities during the recess period. A student may not be denied recess more than twice per week.	2
D. Prohibits schools from using recess to fulfil state mandated physical education requirements	The recess period shall not be used to meet the course requirements set forth in N.J.S.18A:35-5 [physical education instruction].	2
E. Includes specific language on compliance	N/A	0

BEST PRACTICE	LANGUAGE IN LAW	SCORE
ENHANCED BEST PRACTICES		
F. Transition time does not count toward minimum time	N/A	0
G. Requires recess be provided on shortened school days	<p>A school district shall not be required to provide a recess period on a school day in which the day is substantially shortened due to a delayed opening or early dismissal.</p> <p><i>Note: Allows for an exemption on shortened school days</i></p>	0
H. Requires recess to be inclusive for all students	N/A	0
I. Requires recess to be held outdoors	The recess period shall be held outdoors , if feasible.	2
J. If recess is indoors, the law requires there to be adequate space for students to be physically active	N/A	0
K. Prohibits the use of personal electronic devices during recess	N/A	0
L. Requires schools to provide annual professional development opportunities for staff members who lead or supervise recess	N/A	0
M. Requires schools to schedule recess before lunch	N/A	0
N. Requires schools to provide age-appropriate equipment	N/A	0
O. Requires all recess equipment and facilities to meet or exceed safety standards	N/A	0