**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3195**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Haddon and Pope

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Currently residing in the House Committee on **Education and Public Works**

Summary: Unstructured and self-directed recess in public schools

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/5/2024 House Prefiled

 12/5/2024 House Referred to Committee on **Education and Public Works**

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**VERSIONS OF THIS BILL**

[12/05/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3195_20241205.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59‑10‑10, RELATING TO STANDARDS FOR PHYSICAL ACTIVITY AND PHYSICAL EDUCATION IN KINDERGARTEN THROUGH EIGHTH GRADE, SO AS TO REQUIRE CERTAIN MANDATORY MINIMUM PERIODS FOR PHYSICAL EDUCATION AND OUTDOOR RECESS IN FOUR‑YEAR‑OLD KINDERGARTEN THROUGH EIGHTH GRADE EACH YEAR IN ADDITION TO OTHER CURRICULUM REQUIREMENTS, AND TO PROVIDE RECESS PERIODS MUST BE HELD INDOORS DURING TIMES OF INCLEMENT WEATHER; BY AMENDING SECTION 59‑10‑30, RELATING TO PHYSICAL EDUCATION ACTIVITY DIRECTORS AND VOLUNTEERS, SO AS TO MAKE CONFORMING CHANGES; AND TO REDESIGNATE ARTICLE 1 OF CHAPTER 10, TITLE 59 AS “PHYSICAL EDUCATION AND ACTIVITY.”

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59‑10‑10(A) of the S.C. Code is amended to read:

 (A)(1) The goal of this article is to provide every elementarypublic school student in four‑year‑old kindergarten through eighth grade with the equivalent of thirty minutesa prescribed amount of time in physical education and/or of physical activity daily.

 (2) Beginning in the 2006‑072026‑2027 school yearSchool Year,students in kindergarten through fifth grade must be provided a minimum of one hundred fifty minutes a week of physical education and physical activity. In 2006‑07, a minimum of sixty minutes a week must be provided in physical education, and as Section 59‑10‑20 is phased in, the minimum time for physical education must be increased to ninety minutes a weekone hour and thirty minutes of physical education weekly. Students in sixth grade through eighth grade must be provided a minimum of sixty hours of physical education during each school year. The certified physical education teacher to student ratio is designed to provide students in kindergarten through fiftheighth grade with scheduled physical education either every day or on alternate days throughout the school year and must be based on the South Carolina Physical Education Curriculum Standards. The student to teacher ratio in a physical education class may not exceed the average student to teacher ratio of 28 to 1as specified in the defined program. An individual student's fitness status must be reported to his parent or guardian during a student's fifth grade, eighth grade, and high school physical education courses. The physical activity must be planned and coordinated by the certified/licensed Physical Education Activity Director pursuant to Section 59‑10‑30.

 (3) Every student in four‑year‑old kindergarten through eighth grade must be provided a minimum of twenty minutes of unstructured outdoor recess, with allowance for short‑term interruption not to exceed three consecutive school days due to facility and staffing availability, in addition to the time required to meet existing physical education standards of this title and other academic curriculum requirements.

 (4) In the event of inclement weather, the school shall hold recess period indoors as conducive to allowing physical activity as practical. Recess periods may not be used to fulfill any curriculum or physical education requirements and cannot be removed as a form of punishment to an individual or group.

SECTION 2. Section 59‑10‑10(C) and (D) of the S.C. Code is amended to read:

 (C) During each year of implementation of the reduced student to physical education teacher ratio, eachEach district shall annually report to the State Department of Education by June fifteenth, the number of minutes of physical education instruction and the minutes of additional physical activity students receive daily with a total for the week. The report must be listed by elementary school and by individual class and grade level. The State Department of Education shall provide a summary of this information to the General Assembly by December first of each year of implementation.

 (D) The implementation of decreased student to teacher ratio and increased instruction in physical education pursuant to Section 59‑10‑20 is not intended to replace or reduce time dedicated to instruction in the arts taught by certified arts specialiststhe requirements of Section 59‑10‑10(A) shall not result in the replacement or reduction of time dedicated to instruction in the arts taught by certified arts specialists.

SECTION 3. Section 59‑10‑30(C) of the S.C. Code is amended to read:

 (C) Noncertified staff or adult volunteers may assist in implementing or supervising these structured physical activities, including the daily recess requirement in Section 59‑10‑30(A), if approved by the district superintendent. If volunteers are used, appropriate liability insurance must be provided. The director annually shall submit to the principal a report outlining the additional physical activities for students.

SECTION 4. Article 1, Chapter 10, Title 59 of the S.C. Code is redesignated “Physical Education and Activity.”

SECTION 5. The provisions of this act must be fully implemented by July 1, 2026.

SECTION 6. This act takes effect upon approval by the Governor.

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