

ASSEMBLY BILL NO. 53—COMMITTEE ON EDUCATION

(ON BEHALF OF THE LIEUTENANT GOVERNOR)

PREFILED NOVEMBER 19, 2024

Referred to Committee on Education

SUMMARY—Establishes provisions relating to outdoor recreational education. (BDR 34-509)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; providing for pupils in elementary school to receive a certain amount of outdoor recess each school day, with certain exceptions; authorizing the approval of academic credit for outdoor recreational activities under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the board of trustees of each school district to provide
2 instruction in physical education to the pupils enrolled in the public schools within
3 the school district. (NRS 389.018) **Section 1** of this bill requires the board of
4 trustees of a school district or the governing body of a charter school to adopt a
5 policy requiring at least 20 minutes of outdoor recess each school day for pupils in
6 kindergarten and grades 1 through 5. **Section 1** requires the policy to include
7 provisions: (1) exempting certain pupils who are unable to participate in recess; (2)
8 prohibiting the denial of recess for reasons related to academics or behavior, except
9 in certain circumstances; and (3) requiring certain alternatives for outdoor recess
10 when weather or other conditions make outdoor recess unsafe or otherwise
11 inappropriate.

12 **Section 2** of this bill authorizes the board of trustees of a school district or the
13 governing body of a charter school to authorize a pupil enrolled in junior high or
14 middle school or high school to receive academic credit for completing certain
15 approved outdoor recreational activities outside of school hours.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 388 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *The board of trustees of each school district shall adopt a*
4 *policy to require each elementary school in the school district to*
5 *provide recess each school day to pupils in kindergarten and*
6 *grades 1 to 5, inclusive.*

7 2. *The governing body of each charter school that provides*
8 *instruction to pupils in kindergarten or grade 1, 2, 3, 4 or 5 shall*
9 *adopt a policy to require each such school to provide recess each*
10 *school day to each such pupil.*

11 3. *The policy adopted pursuant to subsection 1 or 2 must*
12 *include, without limitation:*

13 (a) *A requirement that each elementary school within the*
14 *school district or the charter school, as applicable, provide at least*
15 *20 minutes of outdoor recess each school day to each pupil in*
16 *kindergarten or grade 1, 2, 3, 4 or 5;*

17 (b) *A provision for an exemption if a pupil is unable to*
18 *participate in recess because of an illness or a disability or is*
19 *otherwise physically unable to participate in recess;*

20 (c) *A provision prohibiting a teacher, an administrator or any*
21 *other person from denying a pupil the outdoor recess required*
22 *pursuant to paragraph (a) for reasons relating to behavior or*
23 *academics, except when:*

24 (1) *An academic goal cannot reasonably be achieved*
25 *through other means; or*

26 (2) *The safety or welfare of the pupil or other persons*
27 *cannot reasonably be protected through other means; and*

28 (d) *A provision for substituting appropriate indoor activities*
29 *for the outdoor recess required pursuant to paragraph (a) in the*
30 *event that weather or other conditions make outdoor recess unsafe*
31 *or otherwise inappropriate.*

32 **Sec. 2.** Chapter 389 of NRS is hereby amended by adding
33 thereto a new section to read as follows:

34 1. *The board of trustees of a school district or the governing*
35 *body of a charter school may authorize a pupil enrolled in a junior*
36 *high or middle school or a high school who completes an outdoor*
37 *recreational activity that is approved pursuant to subsection 2 to*
38 *receive credit toward the total number of credits required for*
39 *promotion to high school or graduation from high school, as*
40 *applicable. Any credit earned for completing an outdoor*
41 *recreational activity pursuant to this section must be applied*
42 *towards the pupil's elective course credit.*



1 2. *The board of trustees of a school district or the governing*
2 *body of a charter school may approve for credit pursuant to*
3 *subsection 1 an outdoor recreational activity that:*

4 (a) *Is completed outside of school hours;*

5 (b) *Requires a pupil to spend a significant amount of time*
6 *outdoors; and*

7 (c) *Teaches the pupil skills that are relevant to outdoor*
8 *education which may include, without limitation:*

9 (1) *Identifying plants and animals native to this State;*

10 (2) *Building trails;*

11 (3) *Restoring natural habitats;*

12 (4) *Outdoor survival skills;*

13 (5) *Outdoor sportsmanship skills, including, without*
14 *limitation, hiking and archery; and*

15 (6) *Bird watching.*

16 3. *If the board of trustees of a school district or the governing*
17 *body of a charter school approves outdoor recreational activities*
18 *for credit pursuant to subsection 1, the board of trustees or*
19 *governing body, as applicable, shall prescribe the:*

20 (a) *Maximum amount of total credits that a pupil may earn for*
21 *completing outdoor recreational activities;*

22 (b) *Rules regarding how a pupil may apply for such credit*
23 *upon the completion of an approved outdoor recreational activity;*
24 *and*

25 (c) *Procedures for obtaining the consent of a parent or legal*
26 *guardian of a pupil before the pupil may participate in an outdoor*
27 *recreational activity for which credit will be granted.*

28 4. *This section shall not be construed to require the board of*
29 *trustees of a school district or the governing body of a charter*
30 *school to provide, facilitate or spend money to provide, facilitate or*
31 *sponsor any outdoor recreational activity.*

32 **Sec. 3.** *The provisions of NRS 354.599 do not apply to any*
33 *additional expenses of a local government that are related to this act.*

34 **Sec. 4.** 1. *This section becomes effective upon passage and*
35 *approval.*

36 2. *Sections 1, 2 and 3 of this act become effective:*

37 (a) *Upon passage and approval for the purpose of adopting any*
38 *regulations and performing any other preparatory administrative*
39 *tasks that are necessary to carry out the provisions of this act; and*

40 (b) *On July 1, 2025, for all other purposes.*



