

Expanding Daily Physical Activity for K-5

Senate Health Committee (HB873)



Overview

[HB873 \(2026\)](#) proposed increasing daily physical activity for elementary students from 20 to 30 minutes, a change that can be fully accommodated within the existing school day without extending hours or reducing core instructional time. Current Virginia law permits recess to count as instructional time, up to 15 percent of total instructional hours, providing schools and divisions with flexibility in implementing this requirement.

Current Law and Requirements

- Elementary students must receive 20 minutes/day or 100 minutes/week of physical activity through PE, recess, athletics, or other programs ([§ 22.1-253.13:1\(D\)\(15\)](#)).
- Daily recess is legislatively required in the elementary school, with length determined by each school. Recess may be included in the calculation of required instructional hours for elementary school, provided that recess does not exceed 15% of the required instructional hours ([8VAC20-132-150](#)).
- Schools must meet 180 instructional days or 990 instructional hours annually, with 680 hours dedicated to core subjects (English, math, science, history/social science). The remaining 310 hours, about 103 minutes/day, cover PE, art, music, recess, and other instruction ([8VAC20-132-150](#)).
- Divisions retain autonomy in schedule design while ensuring students receive consistent daily physical activity.

Why the Increase Fits the Current Day

- A 30-minute minimum stays well under the cap, allowing recess to count as instruction (49.5 minutes/day).
- The additional 10 minutes needed may be drawn from the existing non-core instructional time.

Recess as Instructional Time

- Recess counting toward instructional time:
 - 20 minutes = 6.1% of annual instructional hours
 - 30 minutes = 9.1%
 - 40 minutes = 12.1%
 - 50 minutes = 15.2% (exceeds cap)
- HB 873's proposed 30-minute requirement remains compliant with the 15% regulatory limit.

Student Wellness and Equity Benefits

- HB873 (2026) prevents withholding physical activity, including recess, as a disciplinary action, promoting equitable access.
- Research indicates physical activity supports student behavior regulation, attention, and academic performance.
- Protocols for disciplinary actions are determined by divisions and may be communicated to students and parents through the local Division Code of Conduct.

Division-Level Implementation

- The state does not currently review division-level physical activity scheduling; therefore, no trend data is available.
- Virginia Beach City Public Schools currently provides 40 minutes for kindergarten and 30 minutes for grades 1–5 daily within their elementary master schedules, demonstrating feasibility without extending the school day.