



STATE OF MAINE  
DEPARTMENT OF EDUCATION  
23 STATE HOUSE STATION  
AUGUSTA, ME 04333-0023

JANET T. MILLS  
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COMMISSIONER

February 9, 2023

Senator Rafferty, Senate Chair, Education and Cultural Affairs  
Representative Brennan, House Chair, Education and Cultural Affairs

Senator Rafferty, Representative Brennan, and Distinguished Members of the Education and Cultural Affairs Committees:

LD 156, An Act to Require Outdoor Recess Time for Students from Grade 6 to Grade 8, would require that every school administrative unit provide at least 20 minutes of recess to all students in grades 6-8, at least 3 days per week. The bill defines recess as an unstructured physical activity, leisure, or recreational time.

As indicated in Title 20-A, §2(2), the control and management of the public schools shall be vested in the legislative and governing bodies of local school administrative units, as long as those units are in compliance with appropriate state statutes. This policy of “local control” provides communities with a stronger voice in critical decisions in how education is to be provided. It also means that the Maine Department of Education has limited or no authority to intervene in many situations.

The school day in Maine’s public schools is already filled with what the State mandates that they accomplish within the existing school day. Whenever a new mandate is enacted, there is always a trade-off, and school must choose to remove something else to make room for it. Another option is for schools to extend the school day which is a complicated endeavor.

We also know that recess provides many benefits to students. First, there are the general benefits of physical activity such as a reduction in anxiety and stress. Additionally, unstructured playtime allows students to solve problems, recover from disappointments, and make their own decisions about how they will entertain themselves.

The Department will be available to provide additional information on LD 156 and respond to any questions during the upcoming work session.

Sincerely,

DocuSigned by:  
*Beth Lambert*  
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Beth Lambert  
Director of Innovative Teaching and Learning

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