

TESTIMONY IN OPPOSITION TO

L.D. 1639

AN ACT TO CODIFY MINIMUM INSTRUCTIONAL HOURS IN THE STATE'S SCHOOLS

May 1, 2025

Senator Rafferty, Representative Noonan Murphy, and members of the Joint Committee on Education and Cultural Affairs, I am Robbie Feinberg, the Director of Communications and Government Relations of the Maine School Management Association, testifying on behalf of the legislative committees of the Maine School Boards Association and the Maine School Superintendents Association in opposition to L.D. 1639, An Act to Codify Minimum Instructional Hours in the State's Schools.

While we support and appreciate the goals of this bill to ensure students are receiving ample classroom instruction every day, our associations have questions about how this bill would interact with current state law and local collective bargaining agreements, and worry that it could represent an unfunded mandate in some communities.

L.D. 1639 would require every school district to ensure that each school provide "at least 900 instructional hours per school year." It also defines instructional hours as "hours during the school day during which students are engaged in regularly scheduled instruction, educational activities or academic programs under the supervision of school staff. Instructional hours do not include extracurricular activities, lunchtime or recess."

This approach lines up with a longstanding resolution of the Maine School Boards Association, which reads:

"[MSBA] believes that school boards should develop and review policies regarding optimum instructional time, recognizing that ideally the school calendar should not be measured in number of days, but by the number of instructional hours per year. Instructional time, moreover, should be distinguished from other uses of time spent in school (recess, passing between classes, clubs, etc.)."

L.D. 1639 would appear to follow this approach and would do so in a relatively realistic manner for many schools. The 900-hour standard would average out to 5.14 instructional hours per day over the course of a 175-day school year. Based on a review of several district's bell schedules, it appears that many (or even most) schools would already meet this 900-hour mark.

However, we are concerned that not every school may meet this mark. We expect some schools may have a shorter school day – particularly those in rural areas, where students may need to be bussed long distances. To meet the 900-hour standard, these schools may have to lengthen their school or school year – meaning additional expenses. We expect that would make this an unfunded mandate at a time when schools across Maine are already facing rising school budgets.

We are also concerned that if a school district did need to increase instructional time, it could be forced to shorten lunch or recess time to make the schedule work. This, again, is a step that we do not want to take. Students, families and educators all agree that lunch and recess are integral parts of the school day, allowing students time to socialize and play with their friends. Currently, school districts work with their communities to balance all of these individual priorities when creating their schedules, and we do not believe the state should place new mandates that would impact this process.

We also expect L.D. 1639 could have an impact on local collective bargaining agreements. Many provisions of CBAs spell out a certain number of hours that a staff member is required to work – amounts that may have to change under L.D. 1639. Many districts have also added regular delayed start or early releases to their schedules in order to provide for more professional development and planning time for educators. These elements are so important to staff that they have been added to CBAs in many districts. L.D. 1639 may force districts to reduce the use of these shortened days – impacting this crucial planning time and requiring the reconsideration of CBAs.

Our associations also have questions about how this bill would interact with Maine's current [school approval standards](#), which state that an "instructional day for grades K-12 must be a minimum of three hours in length, and for grades 1-12 must average five hours in length over any consecutive two week period." Would this new law supersede these rules? L.D. 1639 also has no grade-level specifiers: does this mean all pre-K students would need to be in full-day pre-K, as well?

Again, MSSA and MSBA appreciate this bill's goals, but we worry that, as written, it does not provide enough flexibility or take into account the many factors that local schools must consider. If the legislature is seeking ways to increase instructional time, it must provide additional state support to make this happen. We believe efforts like L.D. 1624 – which provides funds for more summer programming – would be a preferable strategy to boost instruction and improve student achievement and support. Without more flexibility or resources, our associations urge your committee to vote "ought not to pass" on L.D. 1639, as written.