

OFFICE OF POLICY AND LEGAL ANALYSIS

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To: Committee on Education and Cultural Affairs

From: Samuel Senft, Legislative Analyst

LD 655 “An Act To Require at Least a 30-minute Lunch Period for Students” (Dodge)

SUMMARY

This bill requires that school administrative units provide for students a lunch period of at least 30 minutes unless the governing body of the school administrative unit determines by vote after notice and public hearing that a 30-minute lunch period would be impracticable.

TESTIMONY

Proponents:

- It can take a long time to get to the cafeteria and through the lunch line, leaving little time to eat.
- At last year’s Representative Assembly of the Maine Education Association, a resolution in support of a 30 minute lunch was adopted.
- The American Academy of Pediatrics, the United States Center for Disease Control, and the School Nutrition Association all state at least 20 minutes should be allowed for students to eat
- Ensuring students have enough time to eat their lunch is a critical step in reducing school food waste
- Maine currently advises school districts to allocate at least 20 minutes of a student’s day for lunch. However, this includes the time it takes to walk to the cafeteria, wait in line, sit down, and eat. Research shows that a student at the end of the cafeteria line has 2-3 minutes to eat, creating a stressful and rushed dining experience and resulting in a child that will have trouble participating in class
- Healthier foods like raw vegetables take longer to eat
- Federal regulations encourage schools “to provide sufficient lunch periods that are long enough to give all students adequate time to be served and eat their lunches.”
- Longer lunch periods are especially important for the K-3 students.
- Data suggest that when students have recess before lunch, they have fewer disciplinary issues,⁴ and eat more of their meal because they aren’t rushing to play

Opponents:

- SAUs need flexibility in scheduling.
- Some schools offer 30 minute lunches, as this is what works for them.
- If students finish their lunches early, which most do, and are unable to go back to class or outside, there tends to be a significant increase in student discipline issues.
- This bill attempts to mandate a local decision.
- Lunch periods are scheduled based on the number of students we have to serve; the space available to seat them; and, the classes and activities that have to occur on a given day.
- Sometimes there is simply not enough time in the day to do everything.
- Accommodations are made for students who eat slowly or are unavoidably late for lunch.

Neither For Nor Against

- During a recent call with Child Nutrition Directors, DOE asked what the shortest lunch periods of participants were. Responses were compiled from 109 districts and times ranges from 15-50

minutes.

- The term “lunch period” is not defined within federal guidance. As a result, it is unclear how to measure or monitor lunch periods.
- The implementation of LD 655 may require some districts to incur additional costs by altering daily and master schedules, increasing staffing for student supervision, and expanding work hours for child nutrition professionals. Additional costs may also be incurred by the Department for increased training, communication, tracking, and monitoring to meet the requirements of the bill.
- The Department supports the intent of the bill

INFORMATION REQUESTS:

- It was asked how long schools currently provide for lunch.

The Department’s testimony includes the following information:

During a weekly Child Nutrition Director call, the Department’s Child Nutrition team posed the following question: What is your shortest lunch period? Responses were compiled based on districts. There are 216 districts participating in the National School Lunch Program (NSLP) and 109 participants responded. Times ranged from 15 minutes to 50 minutes. In summary, 38% had 20-minute lunch periods, 40% had 25-minute lunch periods and 17% reported 30-minute lunch periods. Time varied between grades spans within many schools.

ADDITIONAL INFORMATION:

- Federal regulations at 7 CFR 210.10(1) read:

(1) *Requirements for lunch periods*—

(1) *Timing.* Schools must offer lunches meeting the requirements of this section during the period the school has designated as the lunch period. Schools must offer lunches between 10 a.m. and 2 p.m. Schools may request an exemption from these times from the State agency. With State agency approval, schools may serve lunches to children under age 5 over two service periods. Schools may divide quantities and food items offered each time any way they wish.

(2) *Adequate lunch periods.* FNS encourages schools to provide sufficient lunch periods that are long enough to give all students adequate time to be served and to eat their lunches.

- The US Centers for Disease Control and Prevention has published recommendations on school lunches and recommends that students have at least 20 minutes of “seat time” to eat their lunches.¹
- [Here](#) is a link to a journal article, provided by the Maine Education Association, on school lunch time.² The article also recommends at least 20 minutes of seat time.

¹ US Centers for Disease Control and Prevention. *Making Time for School Lunch*. Available online at https://www.cdc.gov/healthyschools/nutrition/school_lunch.htm.

² Conklin, Martha et al. *How Long Does It Take Students to Eat Lunch? A Summary of Three Studies*. The Journal of Child Nutrition and Management. Vol. 26, Issue 2, Fall 2002. Available online at: Office of Policy and Legal Analysis

- [Here](#) is a link to a journal article, provided by DOE, on school lunch times in high schools.³

OTHER CONSIDERATIONS:

- **Mandate:** There is a question as to whether this bill amounts to a mandate, thereby requiring a 2/3 vote of the House and senate or state provision of 90% of the costs of implementation. It is likely this will be considered a potential mandate, as there is a cost to holding the opt out vote.

FISCAL IMPACT: The fiscal impact of this bill has not yet been determined.

https://schoolnutrition.org/uploadedFiles/5_News_and_Publications/4_The_Journal_of_Child_Nutrition_and_Management/Spring_2002/3-conklin.pdf

³ Asperin, Amelia Estepa and Alexandra Castilla. *Developing a Best Practice Guide for Increasing High School Student Participation and Satisfaction in the National School Lunch Program*. The Journal of Child Nutrition and Management. Vol. 34, Issue 2, Fall 2010. Available online at: <https://schoolnutrition.org/5--News-and-Publications/4--The-Journal-of-Child-Nutrition-and-Management/Fall-2010/Volume-34,-Issue-2,-Fall-2010---Asperin:-Castillo/>.