



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

JANET T. MILLS
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March 22, 2023

Senator Rafferty, Senate Chair
Representative Brennan, House Chair
Members of the Joint Standing Committee on Education and Cultural Affairs

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

LD 1002, An Act to Require a Lunch Period of at Least 30 Minutes for Students and Reduce Food Waste requires school administrative units (SAUs) to provide a 30-minute lunch break separate from recess and requires the SAU to provide a table or other area where students may return unconsumed whole food or beverage items that may be provided to other students.

Daily food service staff statewide work diligently to produce nutritious high-quality meals for Maine students. Studies show that consistently providing nutritious meals to students positively impacts their achievement. It is imperative that students are provided enough time to consume their balanced meals while at school.

Most schools already offer a "share" table for students to be able to return unconsumed whole food or beverage items. The Department, in coordination with the Maine CDC, has developed and provides share [table guidance](#) to SAUs. A share table is a mechanism for students to return unconsumed, whole food or beverage items for others to take. It is currently a local level decision whether to have a share table, and most schools have them.

Federal guidelines found in [7 CFR 210.10 \(k\) \(2\)](#) require "*Adequate lunch periods.*" The Food and Nutrition Service (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." However, the term "lunch period" is not defined within federal guidance; this remains a local decision. As a result, it is unclear how to measure or monitor lunch periods. If the goal is to consistently ensure adequate time to consume a meal, then states may consider defining "lunch period" by providing definitions and expectations for time eating and/or seat time.

The implementation of LD 1002 may require some SAUs 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. Maine's policy on public education in Title 20-A, Chapter 1, §2 includes the intent that

public school control and management will be vested in the governing bodies of local school administrative units, as long as those units are in compliance with state and Federal statute.

The Department will be available to provide additional information on LD 1002 and respond to any questions during the upcoming work session.

Sincerely,

DocuSigned by:

Jane McLucas

Director of Child Nutrition

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