

Senate Education Committee

Trevor Currier 271-4151

SB 578, extending recess for students from kindergarten to eighth grade and prohibiting the deprivation of recess time as punishment in schools.

Hearing Date: January 20, 2026

Time Opened: 10:18 a.m.

Time Closed: 11:03 a.m.

Members of the Committee Present: Senators Ward, Sullivan, Abbas, Prentiss and Altschiller

Members of the Committee Absent : None

Bill Analysis: This bill expands play-based curriculum from kindergarten until third grade and requires recess for all students from kindergarten until the eighth grade. The bill also prohibits withholding students from recess as a means of punishment or as a requirement to complete school work.

Sponsors:

Sen. Sullivan

Sen. Pearl

Sen. Carson

Sen. Avard

Sen. Birdsell

Sen. Murphy

Rep. Freeman

Rep. Peeples

Rep. Rice

Who supports the bill: Senator Victoria Sullivan, Senator Howard Pearl, Lynn Currier (National Association of Social Workers NH), William Trimmer, Dawn Lavalley, Curtis Howland, Alex Seaworth, Pamela DiNapoli, Katherine Lajoie, Taryn Brassard, Meredith, Carlene Ferrier, Polly Champion, Marcy Doyle, Nicole Bump, Sarah Tollefsen, Timothy Lenihan, Tracy Walbridge, Heather Gilbert, Kim Danis, Kristen Cogan

Who opposes the bill: New Hampshire School Boards Association, Debrah Howes (American Federation of Teachers-NH), Timothy Vasconcellos, Janet Roberson, Amy Erickson, Linda Burnap, Marlise Bryant, Mary Terrio, Priscilla Dube, Elizabeth Lewis, Barbara Zaenglein, Eric Zaenglein, Barbara Bryce, Alexander MacLellan, Lois Cote

Who is neutral on the bill: Bridey Bellemore (*New Hampshire Association of School Principals*), Steve Paterson, Chesley Marvin, Kristian West

Summary of testimony presented in support:

Senator Victoria Sullivan

- Senator Sullivan introduced and testified in support of SB 578.
- Sen. Sullivan confirmed that in 2018, New Hampshire adopted Play-Based kindergarten. She said this bill will extend Play-Based Learning through third grade. She noted this change could help address the mental health crisis among New Hampshire's youth.
- She stated that the bill also requires schools to add recess to their physical education programs through eighth grade. She emphasized that recess would boost middle school students' physical, social, and mental health by giving them a break from the structured school day.
- Sen. Sullivan noted that according to the National Academy of Medicine, physical activity helps regulate classroom behavior by improving focus, reducing impulsivity, boosting mood, and increasing engagement.
- Sen. Sullivan established that this bill prohibits denying a student recess as a form of punishment.
- Senator Abbas asked what the punishment should be if the student was acting out during recess. Senator Sullivan replied that staff should immediately identify and correct behaviors at recess. She added that recess is often taken away from students who need it the most.
- Senator Altschiller asked how lines two and three do not conflict with line eleven. Senator Sullivan clarified that the standards for Play-Based Learning are through third grade, and recess is through eighth grade.
- Senator Altschiller asked how we ensure that recess through eighth grade doesn't accidentally replace physical education, as she is concerned that there isn't enough time in the school day to include recess. Senator Sullivan said that the timing concern will be addressed during the rule-making process. She also mentioned that she would be fine if recess replaced structured physical education, as children's lives are already too structured today.

William Trimmer

- Mr. Trimmer testified in support of SB 578.
- Mr. Trimmer emphasized that kids need more time to move and interact with each other without direct supervision.
- He reflected on his time as an educator and noted that it's clear when children need to move and burn off energy. He also remembered times when he held class outside, and his students remained productive but used their time differently.
- He said that students would likely be very supportive of this legislation.

- He stated that COVID showed changes can be made quickly in schools, but the sixty-day window after passage may be challenging.

Dawn Lavallee

- Ms. Lavallee testified in support of Senate Bill 578.
- She stated that students learn best when their bodies and minds are allowed to move, reset, and breathe.
- She shared a personal story from her time working at a school about a fourth grader who was diagnosed with ADHD. The student was very friendly but often distracted classmates and fell behind on assigned work. As a punishment, the student had recess taken away. She convinced her colleagues at a team meeting to recognize the leadership skills he displayed during recess. He was allowed to lead the first-grade recess, and on those days, he was noticeably more attentive in the classroom.
- She explained that when recess is taken away as punishment, teachers experience more disruptions in the classroom, and students have a more difficult time focusing and controlling themselves.

Summary of testimony presented in opposition: None.

Neutral Information Presented:

Chesley Marvin, *Say Yes to Recess NH*

- Ms. Marvin testified in support of SB 578.
- She stated that students’ developmental needs are not met during the school day and that recess is necessary to ensure students remain engaged in the classroom.
- She stated that the House version of this bill has two differences. The House Bill guarantees a daily minimum quantity that can count as instructional time. The House bill also ensures this time remains screen-free.
- She stated there are no current rules or laws within the Department of Education that mandate what students need to do minute by minute.
- She emphasized that students’ mental health and well-being should take precedence over logistical challenges.

Bridey Bellemore, *New Hampshire Association of School Principals*

- Ms. Bellemore stated that the bill, as currently written, conflicts with HB 1015, passed in 2024, which requires K-5 instruction to be grounded in science and evidence-based literacy.
- She stated that if this bill results in an extended school day, that additional time would not count toward instructional time as outlined in the education rules. She mentioned there could be operational implications for transportation needs and collective bargaining.

- She established that brain-based science highlights the benefits of recess for students' social-emotional health and academic success.
- Senator Altschiller asked whether this bill might create operational challenges for school districts. Ms. Bellemore responded that such challenges could arise if the additional fifteen minutes of recess do not count toward instructional time.
- Ms. Bellemore clarified previous testimony, stating that although there are no education requirements specifying how daily academic schedules need to be developed to meet the required hours. However, those hours must be met to meet the mandates embedded in content, curriculum, and assessments.
- Senator Altschiller reiterated that there is no requirement specifying how much instructional time must be allocated to each subject, but there are goals to be achieved by the end of the academic year. Sen. Altschiller asked if there was enough room in the school day to incorporate more unstructured playtime. Ms. Bellemore stated that if this bill became law, schools would be required to find that time, which would likely result in something else being cut, such as intervention time or advisory groups.
- Senator Sullivan stated that Play-Based Learning aligns with Science of Reading and that the Brookings Institute has produced literature backing this concept.
- Senator Abbas asked if having more unstructured time during recess would be beneficial. Ms. Bellemore explained that students grow from unstructured time by enhancing their cognitive development and problem-solving skills. She also mentioned that this issue involves parents because students are over-scheduled outside of school.

Steve Paterson, Principal at Kearsarge Middle School

- Mr. Paterson stated that middle school principals recognize the value of unstructured recess.
- He expressed concern that recess will no longer be able to be withheld from students. He stated that recess is temporarily restricted for students due to safety or supervision concerns.
- He stated that in rural school districts, staffing is limited, which creates a challenge for providing interventions to students who need them.
- He stated that allowing flexibility is essential because policies that limit professional discretion may unintentionally hinder schools' ability to hold restorative conversations, conduct structured reflections, or arrange meetings with school counselors or social workers to teach appropriate school behaviors.
- Senator Altschiller asked if, as a middle school principal, it would be appropriate to cut structured physical education time to implement the mandate in this bill. Mr. Peterson replied that he would not support that measure because both serve two different purposes. He stated that physical education

promotes teamwork, collaboration, strategy, and physical fitness. Whereas unstructured time promotes creativity and unsupervised interactions amongst peers.

- He expressed concern that this bill impacts the middle school day but not the high school, which could create unique logistical challenges.
- Senator Altschiller asked about the length of school days. He stated that the school day begins at 7:35 a.m. and ends at 2:15 p.m. Senator Altschiller then asked if students have the opportunity to engage in unstructured time outside of school hours. He replied that while it's difficult to put this solely on schools, it can be especially hard in rural areas.
- Senator Sullivan clarified that the bill is not meant to place sole responsibility on the school and asked if Mr. Peterson agreed that the bill highlights the importance of including unstructured time in students' days. Mr. Paterson agreed.