

# MINNESOTA

Minn. Stat. § 121A.611. Recess and other breaks

*Effective July 1, 2023*

The scorecard was created as part of a policy toolkit that supports advancing recess in schools through state laws. It was developed by the research team, with input from the advisory board, to provide a starting point for advocates and policymakers seeking to improve recess legislation. A score of “0” indicates that the law requires further development. We recommend first incorporating all essential best practices, followed by any enhanced best practices that are appropriate for your state.

**Minnesota does not have a statewide recess law; however, it does have a “recess detention” law which is defined as excluding or excessively delaying a student from participating in a scheduled recess period as a consequence for student behavior.**

BEST PRACTICE	LANGUAGE IN LAW	SCORE
ESSENTIAL BEST PRACTICES		
A. Mandates a time requirement of at least 20 minutes of daily recess	N/A	0
B. Inclusive of all students in grades kindergarten-8	N/A	0
C. Prohibits schools from withholding recess	<p>A school district or charter school <b><u>must not use recess detention unless</u></b> (1) a student causes or is likely to cause serious physical harm to other students or staff; (2) the student’s parent or guardian specifically consents to the use of recess detention; or (3) for students receiving special education services, the student’s individualized education program team has determined that withholding recess is appropriate based on the individualized needs of the student</p> <p>A school district or charter school must not withhold recess from a student based on incomplete schoolwork.</p>	2
D. Prohibits schools from using recess to fulfil state mandated physical education requirements	N/A	0
E. Includes specific language on compliance	N/A	0

BEST PRACTICE	LANGUAGE IN LAW	SCORE
ENHANCED BEST PRACTICES		
F. Transition time does not count toward minimum time	N/A	0
G. Requires recess be provided on shortened school days	N/A	0
H. Requires recess to be inclusive for all students	N/A	0
I. Requires recess to be held outdoors	N/A	0
J. If recess is indoors, the law requires there to be adequate space for students to be physically active	N/A	0
K. Prohibits the use of personal electronic devices during recess	N/A	0
L. Requires schools to provide annual professional development opportunities for staff members who lead or supervise recess	N/A	0
M. Requires schools to schedule recess before lunch	N/A	0
N. Requires schools to provide age-appropriate equipment	N/A	0
O. Requires all recess equipment and facilities to meet or exceed safety standards	N/A	0