

HOUSE No. 4060

The Commonwealth of Massachusetts

PRESENTED BY:

Adam J. Scanlon

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing a commission regarding school disciplinary policies and bullying.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Adam J. Scanlon</i>	<i>14th Bristol</i>	<i>1/17/2025</i>
<i>Steven George Xiarhos</i>	<i>5th Barnstable</i>	<i>9/8/2025</i>

HOUSE No. 4060

By Representative Scanlon of North Attleborough, a petition (accompanied by bill, House, No. 4060) of Adam J. Scanlon relative to recess at schools and for an investigation by a special commission (including members of the General Court) relative to student discipline and bullying. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act establishing a commission regarding school disciplinary policies and bullying.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 71 of the General Laws is hereby amended by inserting after
2 section 3 the following section:-

3 Section 3A. (a) For the purposes of this section, the following term shall, unless the
4 context clearly requires otherwise, have the following meaning:

5 “Free-play recess”, an unstructured environment that is supervised by appropriate school
6 personnel or staff.

7 (b) All students in grades kindergarten through 8 attending a public or charter school in
8 the commonwealth shall, except as otherwise herein provided, receive at least 30 consecutive
9 minutes of supervised, safe and unstructured free-play recess per school day that shall be held
10 outdoors whenever the weather and air quality permits. If free-play recess is held indoors due to

11 weather or air quality, a public or charter school shall use an appropriate space that promotes
12 physical activity.

13 (c) No public or charter school serving students in grades kindergarten through 8 shall
14 decrease the amount of time it allots and provides to students for free-play recess as a result of
15 any changes in standards or curriculum that the school is required to or chooses to adopt and
16 shall not withhold free-play recess for the purposes of providing academic or other services
17 under an individualized education plan, section 504 or other student support service, including
18 the completion of ordinary classroom work.

19 (d) The department shall not exclude free-play recess from structured learning time
20 requirements for students in grades kindergarten through 8 and shall not increase the total
21 number of hours required in the school year to meet the provisions of this section.

22 (e) A public or charter school serving students in grades kindergarten through 8 may
23 provide less than 30 consecutive minutes of free-play recess on school days with delayed
24 openings, early dismissals or other schedule changes that result in a school day that is shorter
25 than a standard day in said public or charter school.

26 (f) The requirements of this section shall not apply to school days in which there is a field
27 trip.

28 SECTION 2. (a) There shall be a special commission established to study and make
29 recommendations for policies related to student discipline and bullying and their effects on: (i)
30 educational outcomes; (ii) student, teacher and staff safety; and (iii) physical and mental health.

31 (b) The commission shall consist of 15 members consisting of the following: (i) 1
32 member of the house of representatives appointed by the speaker of the house of representatives,
33 whom shall serve as co-chair; (ii) 1 member of the senate appointed by the senate president,
34 whom shall serve as co-chair; (iii) the chairs of the joint committee on education; (iv) 1 member
35 appointed by the minority leader of the house of representatives; (v) 1 member appointed by the
36 minority leader of the senate; (vi) the secretary of education or their designee; (vii) the
37 commissioner of elementary and secondary education or their designee; (viii) 2 members
38 appointed by the governor, 1 of whom shall be an expert on developmental psychology
39 and the science of learning and 1 of whom shall be an expert on school safety; (ix) 1 member
40 appointed by the Massachusetts Association of School Superintendents, Inc.; (x) 1 member
41 appointed by the Massachusetts Association of School Committees, Inc.; (xi) 1 member
42 appointed by the Massachusetts Teachers Association; (xii) 1 member appointed by the
43 American Federation of Teachers, Massachusetts; and (xiii) 1 member appointed by the
44 Massachusetts State PTA.

45 (c) The commission shall investigate current policies and policy options related to student
46 discipline in schools, including: (i) their effects on student learning outcomes; (ii) safety for
47 students, teachers and staff; and (iii) the incidence of bullying among students.

48 (d) The commission shall make recommendations for policies, including but not limited
49 to: (i) what policies should be in place for student discipline to promote educational outcomes,
50 ensure physical and mental health, safety for students, teachers and staff, and prevent bullying
51 for elementary schools, middle schools and high schools; and (ii) whether such policies should
52 be promulgated at the: (A) state level and binding on school districts; (B) state level with

53 incentives to local and regional districts to adopt them; (C) state level as model policies; or (D)
54 district level.

55 (e) The commission shall report its findings and recommendations to the: (i)
56 commissioner of the department of elementary and secondary education; (ii) chairs of the joint
57 committee on education; and (iii) clerks of the house of representatives and senate not later than
58 January 1, 2026.