

“SECTION 1. Chapter 69 of the General Laws is hereby amended by adding the following section:-

1 Section 40. (a) For the purposes of this section and section 102 of chapter 71, the
2 following words shall, unless the context clearly requires otherwise, have the following
3 meanings:

4 “Personal electronic device”, any portable electronic device that is capable of: (i)
5 providing voice communication, text messaging or other data communication between 2 or more
6 parties or devices; or (ii) connecting to the internet, a smartphone or other personal electronic
7 device or a cellular or Wi-Fi network. “Personal electronic devices” shall include, but shall not
8 be limited to, mobile phones, tablets, laptops, smartwatches and Bluetooth-enabled devices;
9 provided, however, that “personal electronic device” shall not include a school-issued or school-
10 sanctioned device used for a legitimate educational purpose.

11 “School day”, the time from which the first student arrives at the school until the
12 dismissal of the students from the last class of the day; provided, that “school day” shall include:
13 (i) any time between classes, during lunch, during other non-instructional times and in any
14 advisory meeting or other meeting with teachers, counselors or administrators; (ii) each day of
15 the school year and any other day during which a student is attending classes; and (iii) any
16 school-sponsored activity.

17 “School-sponsored activity”, an activity, on or off school grounds, that takes place during
18 a school day; provided, that a district shall determine whether a specific category of activity shall
19 be a school-sponsored activity; and provided further, that “school-sponsored activity” shall not
20 include activities held after dismissal of students from the last class of the day.

21 (b) The department shall provide guidance, recommendations and a model policy for
22 school districts to prohibit student use of personal electronic devices during the school day as

23 required under section 102 of chapter 71. The guidance, recommendations and model policy
24 shall include, but shall not be limited to:

25 (i) provisions to prevent student use of school-issued or school-sanctioned devices for
26 personal use;

27 (ii) provisions to prevent student use of personal electronic devices during the school day;

28 (iii) provisions on activities that a school may consider to be a school-sponsored activity;

29 (iv) options for secure storage of student personal electronic devices during the school
30 day or other methods of rendering personal electronic devices inoperable or unavailable during
31 the school day;

32 (v) at least 1 method for parents, guardians and caregivers of students to contact students
33 during the school day; provided, that there shall be considerations for emergency situations;

34 (vi) at least 1 method for a student to contact their parent, guardian or caregiver during
35 the school day; provided, that there shall be considerations for emergency situations; and

36 (vii) enforcement provisions to ensure student compliance with the policy; provided,
37 however, that the enforcement provisions shall contain practical safeguards to prevent
38 inequitable discipline; and provided further, that discipline for noncompliance with a school's
39 policy on personal electronic devices shall not include the expulsion or suspension of a student
40 solely due to said noncompliance.

41 (c)(1) Prior to finalizing the guidance, recommendations and model policy pursuant to
42 subsection (b), the department shall solicit public input.

43 (2) The guidance, recommendations and model policy provided pursuant to subsection
44 (b) shall be made publicly available on the department's website.

45 (d) The department shall annually review and update the guidance, recommendations and
46 model policy provided pursuant to subsection (b) to reflect applicable research and best
47 practices, which shall include, but shall not be limited to, any technological advances related to
48 the prevention of student use of personal electronic devices during the school day, including
49 technology that may render a personal electronic device inoperable.

50 (e)(1) Annually, not later than September 1, each public school or district shall file a
51 personal electronic device use policy, pursuant to section 102 of chapter 71, with the department
52 in a manner and form determined by the department.

53 (2) The department shall determine a schedule for each public school or district to notify
54 parents and guardians of the public school's or district's policy; provided, that such notification
55 shall occur not less than once each school year.

56 SECTION 2. Chapter 71 of the General Laws is hereby amended by adding the following
57 2 sections:-

58 Section 102. (a)(1) Each district shall have a policy to prohibit student use of personal
59 electronic devices during the school day. The policy shall include, but shall not be limited to:

60 (i) provisions to prevent student use of school-issued or school-sanctioned devices for
61 personal use;

62 (ii) provisions to prevent student use of personal electronic devices during the school day;

63 (iii) provisions on activities that a school may consider to be a school-sponsored activity
64 at which a school may prohibit student use of personal electronic devices;

65 (iv) options for secure storage of student personal electronic devices during the school
66 day or other methods of rendering personal electronic devices inoperable or unavailable during
67 the school day;

68 (v) at least 1 method for parents, guardians and caregivers of students to contact students
69 during the school day; provided, that there shall be considerations for emergency situations;

70 (vi) at least 1 method for a student to contact their parent, guardian or caregiver during
71 the school day; provided, that there shall be considerations for emergency situations; and

72 (vii) enforcement provisions to ensure student compliance with the policy; provided,
73 however, that the enforcement provisions shall contain practical safeguards to prevent
74 inequitable discipline; and provided further, that discipline for noncompliance with a school's
75 policy on personal electronic devices shall not include the expulsion or suspension of a student
76 solely due to said noncompliance.

77 (2) The policy shall specify the method the district shall use to prohibit student access to
78 personal electronic devices. The following methods shall be deemed sufficient to prohibit student
79 access to personal electronic devices: (i) secure storage of personal electronic devices during the
80 school day; (ii) the use of technology pursuant to subsection (d) of section 40 of chapter 69 that
81 renders the personal electronic device inoperable; or (iii) any another method approved by the
82 department.

83 (3) Each district shall annually notify the parents and guardians of all students attending
84 the school of the policy as determined by the department, pursuant to paragraph (2) of subsection
85 (e) of section 40 of chapter 69.

86 (b) Notwithstanding subsection (a), a district policy may authorize a student to use a
87 personal electronic device if:

88 (i) used in accordance with an individualized education program or an education plan
89 implemented pursuant to section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 701 et

90 seq.; provided, however, that a district shall authorize a student to use a personal electronic
91 device only to the extent necessary under the individualized education program or plan;

92 (ii) necessary under any accommodations pursuant to state or federal law, including, but
93 not limited to, Title II of the Americans with Disabilities Act, 42 U.S.C. 12131 et seq.; provided,
94 however, that a district shall authorize a student to use a personal electronic device only to the
95 extent necessary under the accommodation;

96 (iii) a healthcare provider provides in writing that the use of a personal electronic device
97 is necessary to treat a health condition of a student; provided, however, that a district shall
98 authorize a student to use a personal electronic device only to the extent necessary under the
99 healthcare provider's written notice; or

100 (iv) the district determines that there is an emergency and the use of a personal electronic
101 device is necessary; provided, however, that a district shall authorize a student to use a personal
102 electronic device only to the extent necessary during the emergency.

103 (c) The policy, and any standards and rules enforcing the policy, shall be prescribed by
104 the school committee of a municipality, regional school district or vocational technical school in
105 conjunction with the superintendent or, in the case of a commonwealth charter school, the board
106 of trustees.

107 (d) Nothing in this section shall limit a district from setting restrictions or standards for
108 the use of personal electronic devices on school grounds or during school-sanctioned activities
109 that are outside of the school day.

110 Section 103. (a) Each district shall provide instruction on the social, emotional and
111 physical risks and harms of social media use consistent with content standards in the curriculum
112 frameworks adopted by the board of elementary and secondary education.

113 (b) The department, in consultation with the office of the attorney general and the
114 department of public health, shall provide guidance and recommendations to assist districts with
115 developing and implementing effective instruction on social media use and shall make such
116 guidance and recommendations publicly available on the department’s website. Guidance and
117 recommendations may include, but shall not be limited to: (i) curriculum resources; (ii) guidance
118 on developing community norms regarding cell phone and social media use; (iii) guidance for
119 educating parents or guardians on managing their child’s social media use; (iv) recognizing
120 warning signs of the harmful effects of social media use; and (v) other available resources.
121 Guidance and recommendations may be reviewed and regularly updated to reflect applicable
122 research and best practices.

123 (c) The department shall assist schools in providing: (i) instruction on the social,
124 emotional and physical risks and harms of social media use by facilitating access to high-quality
125 curricular materials; and (ii) professional development training, including the provision of
126 trainings, seminars, conferences and materials, for educators to use in teaching.

127 (d) Nothing in this section shall require a school district to require instruction on social
128 media use for every year of school; provided, however, that social media use education and
129 instruction shall be utilized during appropriate age levels in curricula, as determined by the
130 school district.

131 (e) The department may provide trainings, seminars, conferences and materials for
132 educators to use in the teaching of social media use in person or through the use of synchronous
133 or asynchronous audio, video, electronic media or other telecommunications technology.

134 SECTION 3. The General Laws are hereby further amended by inserting after chapter
135 93L the following chapter:-

Chapter 93M

ONLINE PROTECTION

Section 1. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Account”, a unique profile for a user of a social media platform.

“Parent”, a parent or legal guardian of a minor.

“Social media feed”, the presentation of content to users of a social media platform.

“Social media platform”, a public website, online service, online application or mobile application that displays content primarily generated by users and allows users to create, share and view user-generated content with other users; provided, that “social media platform” shall not include email, cloud storage, SMS, MMS, RCS or similar text messaging telecommunications services or document viewing, sharing or collaboration services.

“User”, an individual who, through an account, accesses or uses either a social media feed or a social media platform.

Section 2. (a)(1) To protect the health and wellness of a minor under 14 years of age, including, but not limited to, mental and behavioral health, a social media platform shall prohibit a minor under the age of 14 from being a user of a social media platform.

(2) A social media platform shall: (A) terminate a user under the age of 14; (B) allow a user under the age of 14 to request to terminate the account; (C) allow the confirmed parent of a user under the age of 14 to request the termination of the user’s account; and (D) permanently delete all personal information held by the social media platform related to the terminated user unless there is a legal requirement to maintain the information.

158 (3) A parent of a user under the age of 14 may request access to the data submitted by the
159 user to the social media platform. Not later than 5 business days after receipt of the request, the
160 social media platform shall provide a parent access to the data submitted by the user.

161 (b)(1) To protect the health and wellness of a minor who is 14 or 15 years of age,
162 including, but not limited to, mental and behavioral health, a social media platform shall prohibit
163 a minor who is 14 or 15 years of age from being a user of a social media platform unless the
164 social media platform receives verifiable consent from the parent for the minor to become a user.

165 (2) A social media platform shall: (A) terminate a user who is 14 or 15 years of age if the
166 parent's consent has not been provided for the minor to create or maintain an account on the
167 social media platform; (B) allow a user who is 14 or 15 years of age to request to terminate the
168 account; (C) allow the confirmed parent of a user who is 14 or 15 years of age to request the
169 termination of the minor's account; and (D) permanently delete all personal information held by
170 the social media platform related to the terminated user unless there is a legal requirement to
171 maintain the information.

172 (3) A parent of a user who is 14 or 15 years of age may request access to the data
173 submitted by the user to the social media platform. Not later than 5 business days after receipt of
174 the request, the social media platform shall provide a parent access to the data submitted by the
175 user.

176 Section 3. (a) A social media platform shall implement an age assurance or verification
177 system to determine whether a current or prospective user on the social media platform meets the
178 age requirement pursuant to section 2. To the extent practicable, the age assurance or verification
179 system shall consist of the best technology available to reasonably and accurately identify a
180 current or prospective user's age.

181 (b) A social media platform shall implement a review process to allow users to appeal the
182 social media platform's age determination pursuant to subsection (a). The user may submit
183 documentary evidence electronically to the social media platform to establish that the user meets
184 the age requirements of section 2. Not later than 3 days after receipt, a social media platform
185 shall review the documentary evidence submitted by the user and shall make a determination on
186 the appeal.

187 (c) Any data or information gathered by the social media platform for: (i) use in the age
188 assurance or verification system pursuant to subsection (a); (ii) any appeal of determination
189 pursuant to subsection (b); or (iii) the purpose of verifying parental consent pursuant to section 2
190 shall be segregated by the social media platform and shall remain confidential. The data and
191 information gathered for the purposes in clauses (i) to (iii), inclusive, shall not be used for any
192 other purpose by the social media platform.

193 Section 4. (a) A social media platform shall publicly and conspicuously post to the social
194 media platform's website the number of: (i) users processed using the age assurance or
195 verification system pursuant to section 3; (ii) users granted access to the social media feed due to
196 the age determination appeal process under section 3; (iii) users denied access to the social media
197 feed due to the user not meeting the age requirements under section 2; (iv) users granted access
198 to the social media feed after providing the social media platform with verifiable parental
199 consent under section 2; (v) account user age verification review requests received under section
200 3; and (vi) accounts subsequently terminated for not meeting age requirements due to account
201 user age verification review requests.

202 Section 5. (a) A violation by a social media platform of this chapter shall be deemed an
203 unfair or deceptive act or practice in trade or commerce under chapter 93A.

204 (b) A social media platform found to be in violation of section 2 shall be punished by a
205 civil fine of not more than \$5,000 per violation; provided, that a social medial platform shall be
206 in violation of section 2 for each user account not in compliance with section 2.

207 (c) A social media platform violation of section 4 shall be punished by a civil fine of not
208 more than \$1,000,000; provided, that each day that a violation of section 4 persists shall be
209 considered a separate violation under this section.

210 Section 6. The attorney general shall promulgate regulations to implement this chapter.

211 SECTION 4. (a) As used in this section, the following words shall, unless the context
212 clearly requires otherwise, have the following meanings:

213 “Department”, the department of elementary and secondary education.

214 “District”, as defined in section 2 of chapter 70 of the General Laws.

215 “Personal electronic device”, as defined in section 40 of chapter 69 of the General Laws.

216 “School day”, as defined in said section 40 of said chapter 69.

217 “Technology service provider”, an entity that provides a district with technology to
218 render a personal electronic device inoperable on school grounds during the school day.

219 (b) The department shall administer a 1-year pilot program for 10 districts that shall
220 provide for a technological means of rendering students’ personal electronic devices inoperable
221 on school grounds during the school day.

222 (c)(1) The department shall competitively procure the services of a technology service
223 provider that provides a technological means of rendering a personal electronic device
224 inoperable. The department may select 1 or more technology service providers to participate in
225 the pilot program to provide technological services pursuant to subsection (b).

226 (2) The department shall require technology service providers submitting competitive
227 procurements to demonstrate the ability to enable all personal electronic devices to: (i) call 911;
228 (ii) enable any applications other than those providing talk or texting services as authorized by a
229 district pursuant to district policy; and (iii) enable any application providing talk or texting
230 services between a parent, guardian or caregiver of a student and the student if authorized by
231 district policy.

232 (3) The department shall ensure that any technology service providers demonstrate
233 compliance with federal and state privacy laws, including, but not limited to, 20 U.S.C. § 1232g,
234 15 U.S.C. §§ 6501 et seq. and sections 34D and 34E of chapter 71 of the General Laws.

235 (4) The department shall evaluate each response to the procurement pursuant to
236 paragraph (1) to ensure that a technology service provider shall: (i) not collect any data from
237 personal electronic devices except for the purposes of providing a technological means of
238 rendering the device inoperable during the school day, including, but not limited to, prohibited
239 purposes related to targeting advertising or the creation of digital profiles of individuals; (ii) not
240 sell, rent or distribute data disclosed from personal electronic devices as part of its provision of
241 technological services at a school; and (iii) destroy all disclosed data when no longer needed to
242 provide a technological means of rendering personal electronic devices inoperable during the
243 school day or when a school district requests such deletion.

244 (5) A technology service provider awarded a contract pursuant to this section shall
245 include, in the terms of the contract requirements, that the technology service provider shall
246 protect the data privacy of all users of personal electronic devices on which any application or
247 other media is downloaded, including, but not limited to, limitations on collection, maintenance
248 and use of any personal data except by the district itself.

249 (d) Not later than 180 days after the conclusion of the pilot program, the department, in
250 consultation with each district participating in the pilot program, shall report to the chairs of the
251 joint committee on education and the house and senate committees on ways and means on the
252 experience of the participating districts. The department shall submit recommendations, if any,
253 for the continued use of the technological services to render personal electronic devices
254 inoperable for compliance with section 102 of chapter 71 of the General Laws.

255 SECTION 5. Not later than September 1, 2026, each district shall file its policy pursuant
256 to section 102 of chapter 71 of the General Laws, inserted by section 2, with the department of
257 elementary and secondary education in a manner and form prescribed by the department. If no
258 policy is approved by the district by September 1, 2026, the department's model policy shall be
259 in effect until such time as a district policy is approved.

260 SECTION 6. Not later than September 1, 2028, the department of elementary and
261 secondary education shall report to the chairs of the joint committee on education and the house
262 and senate committees on ways and means on the implementation of the personal electronic
263 device use policies in schools pursuant to section 102 of chapter 71 of the General Laws, inserted
264 by section 2.

265 SECTION 7. Not later than September 1, 2028, the department of elementary and
266 secondary education, in consultation with the office of the attorney general and the department of
267 public health, shall report to the chairs of the joint committee on education and the house and
268 senate committees on ways and means on the implementation and effect of social media use
269 education in schools pursuant to section 103 of chapter 71 of the General Laws, inserted by
270 section 2.

271 SECTION 8. Not later than September 1, 2026, the attorney general shall promulgate
272 regulations pursuant to section 6 of chapter 93M of the General Laws, inserted by section 3.

273 SECTION 9. Section 3 shall take effect on October 1, 2026.”; and

by striking out the title and inserting in place thereof the following title: “An Act promoting safe technology use and distraction-free education for youth.”;

and by adding the following emergency preamble: “*Whereas*, The deferred operation of this act would tend to defeat its purposes, which are to make certain changes in law to protect the health and wellness of minors, promote safe technology use and provide distraction-free education for youth, which is immediately necessary to accomplish important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”