

An Act to promote student learning and mental health

SECTION 1. Chapter 71 of the General Laws, as amended by section 2 of chapter 118 of the acts of 2022, is hereby further amended by adding the following section:-

Section 101. Personal Electronic Devices

(a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Personal electronic device”, shall mean any portable electronic device capable of providing voice communication, text messaging or other data communication between 2 or more parties or devices, or capable of connecting to a smartphone or other personal electronic device, the internet, or a cellular or Wi-Fi network, or provides application usage. Personal electronic devices include, but are not limited to, mobile phones, tablets, smartwatches, and bluetooth enabled devices. A personal electronic device shall not preclude the use of school-issued or sanctioned devices that serve a legitimate educational purpose.

(b) Each public school or district shall have a policy regarding the use of personal electronic devices on school grounds and during school-sponsored activities to reduce distractions, maintain environments focused on learning and protect the privacy and safety of students and staff.

(c) The policy shall include, but not be limited to:

- (1) a prohibition on physical access to a personal electronic device by students during the school day;
- (2) standards for use of personal electronic devices on school grounds and during school-sponsored activities beyond the school day;
- (3) any exceptions to the policy, including, but not limited to, the following:
 - (i) school and student health and safety;
 - (ii) use in accordance with an individualized education program or an education plan implemented pursuant to section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq.;
 - (iii) any other accommodations under state or federal law, including, but not limited to, title II of the Americans with Disabilities Act, 42 U.S.C. sections 12131–12165;
 - (iv) time spent off campus travelling to or from other learning opportunities, including, but not limited to, early college, dual enrolment, or vocational learning sites;
 - (v) multilingual learners;
 - (vi) when expressly directed by a teacher or other staff member;
 - (vii) emergencies; or
 - (viii) any other reasonable exception.
- (4) one or more methods for parents and guardians of students to readily contact students during the school day, including policies for emergency situations when contact is urgent, or for a student to contact their parent or caregiver during the school day if needed; and

(5) enforcement provisions to ensure compliance with the policy by students and district employees, provided that enforcement provisions must ensure the prevention of inequitable discipline.

(d) School or district policies may include variations that align with the developmental level of students and the structure of the school day in each grade level and school.

(e) Each public school shall notify the students and the parents or guardians of all students attending the school of the policy and make the policy publicly available.

(f) The policy and any standards and rules enforcing the policy shall be prescribed by the school or district and approved by the school committee, board or other appropriate governing body.

(g) Each public school or district shall have a policy regarding the use of personal electronic devices implemented before the start of the 2026-2027 school year.

SECTION 2. Chapter 69 of the general laws, as so appearing, is hereby amended by inserting after section 37 the following new section:-

Section 38. Personal Electronic Devices

(a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Department”, shall mean the department of elementary and secondary education

“Personal electronic device”, shall mean any portable electronic device capable of providing voice communication, text messaging or other data communication between 2 or more parties or devices, or capable of connecting to a smartphone or other personal electronic device, the internet, or a cellular or Wi-Fi network, or provides application usage. Personal electronic devices include, but are not limited to, mobile phones, tablets, smartwatches, and bluetooth enabled devices. A personal electronic device shall not preclude the use of school-issued or sanctioned devices that serve a legitimate educational purpose.

(b) The department shall provide guidance and recommendations to assist schools or districts with developing and implementing effective policies regarding the use of personal electronic devices on school grounds and during school-sponsored activities consistent with section 101 of chapter 71.

(1) Guidance and recommendations shall include one or more model policies that are available for schools and districts to use.

(2) When establishing such guidance and recommendations, the department shall consider criteria that include, but is not limited to, the following:

(i) preventing student use of school issued devices for personal use;

- (ii) options for secure storage of personal electronic devices during the school day; and
 - (iii) effective enforcement provisions to ensure compliance with the policy, provided that enforcement provisions must ensure the prevention of inequitable discipline.
- (3) Such guidance and recommendations, including any model policies, shall be made publicly available on the department's website.
- (4) Guidance and recommendations shall be reviewed and regularly updated to reflect applicable research and best practices.

(c) Each school or district shall file its personal electronic device use policy with the department of elementary and secondary education in a manner and form prescribed by the department.

(d) Within 180 days of the effective date of this act, the department shall provide guidance and recommendations to implement this act.

SECTION 3. Not later than December 31, 2027, the department of elementary and secondary education shall report to the joint committee on education on the impact of personal electronic device prohibitions in schools as required by section 101 of chapter 71 of the general laws.