

# HOUSE . . . . . No. 5366

Text of the House amendments to the Senate Bill to promote student learning and mental health (Senate, No. 2581) (being the text of House document numbered 5349, published as amended).  
April 8, 2026.

## The Commonwealth of Massachusetts

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

By striking out all after the enacting clause and inserting in place thereof the following:—

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

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

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

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

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

23 (b) The department shall provide guidance, recommendations and a model policy for  
24 school districts to prohibit student use of personal electronic devices during the school day as  
25 required under section 102 of chapter 71. The guidance, recommendations and model policy  
26 shall include, but shall not be limited to:

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

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

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

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

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

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

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

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

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

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

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

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

58 SECTION 2. Chapter 71 of the General Laws is hereby amended by adding the following  
59 2 sections:-

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

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

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

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

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

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

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

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

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

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

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

90 (i) used in accordance with an individualized education program or an education plan  
91 implemented pursuant to section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 701 et  
92 seq.; provided, however, that a district shall authorize a student to use a personal electronic  
93 device only to the extent necessary under the individualized education program or plan;

94 (ii) necessary under any accommodations pursuant to state or federal law, including, but  
95 not limited to, Title II of the Americans with Disabilities Act, 42 U.S.C. 12131 et seq.; provided,

96 however, that a district shall authorize a student to use a personal electronic device only to the  
97 extent necessary under the accommodation;

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

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

105 (v) the superintendent of a district, or a designee, provides in writing that the use of a  
106 personal electronic device is necessary for language access for a student, including, but not  
107 limited to, translation, interpretation or transliteration purposes; provided, however, that a district  
108 shall authorize a student to use a personal electronic device only to the extent necessary to  
109 provide language access for a student to adequately understand educational materials and  
110 participate in activities during the school day.

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

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

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

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

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

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

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

142 SECTION 3. The General Laws are hereby further amended by inserting after chapter  
143 93L the following chapter:-

144 Chapter 93M

145 ONLINE PROTECTION

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

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

149 “Addictive social media feed”, the presentation of content to users where the social media  
150 platform employs algorithms that analyze user data or information on users to select content for  
151 users and includes any of the following addictive features:

152 (i) infinite scrolling, which shall include: (A) continuously loading content, or content  
153 that loads as the user scrolls down the page without the need to open a separate page; and (B)  
154 seamless content, or the use of pages with no visible or apparent end or page breaks;

155 (ii) push notifications or alerts sent by the social media platform to inform a user about  
156 specific activities or events related to the user’s account;

157 (iii) displays of personal interactive metrics that indicate the number of times other users  
158 have clicked a button to indicate their reaction to a user’s content or have shared or reposted the  
159 user’s content;

160 (iv) content generated by an algorithm based on a user’s activity on the social media  
161 platform; or

162 (v) auto-play video or video that begins to play without the user first clicking on the  
163 video or on a play button for that video.

164 “Connected account”, an account on a social media platform that is directly connected to  
165 the user’s account, including, but not limited to, a friend, follower or similar connection with  
166 access to view the user’s content.

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

168 “Push notification”, an automatic electronic message displayed on a user’s personal  
169 electronic device, as defined in section 40 of chapter 69, when the social media platform is not  
170 actively open or visible on the personal electronic device that prompts the user to check and  
171 engage with the social media platform.

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

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

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

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

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

188 (3) A parent of a user under the age of 14 may request access to the age assurance or  
189 verification system data submitted by the user to the social media platform. Not later than 5  
190 business days after receipt of the request, the social media platform shall provide a parent access  
191 to the age assurance or verification system data submitted by the user. No social media platform  
192 shall provide data other than what was submitted for the purposes of verifying the age of the user  
193 to any parent.

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

198 (2) A social media platform shall: (A) terminate a user who is 14 or 15 years of age if the  
199 parent’s consent has not been provided for the minor to create or maintain an account on the

200 social media platform; (B) allow a user who is 14 or 15 years of age to request to terminate the  
201 account; (C) allow the confirmed parent of a user who is 14 or 15 years of age to request the  
202 termination of the minor's account; and (D) permanently delete all personal information held by  
203 the social media platform related to the terminated user unless there is a legal requirement to  
204 maintain the information.

205 (3) A parent of a user who is 14 or 15 years of age may request access to the age  
206 assurance or verification system data submitted by the user to the social media platform. Not  
207 later than 5 business days after receipt of the request, the social media platform shall provide a  
208 parent access to the age assurance or verification system data submitted by the user. No social  
209 media platform shall provide data other than what was submitted for the purposes of verifying  
210 the age of the user.

211 (4) A social media company shall, for users who are 14 or 15 years of age, set default  
212 safety settings to prioritize the health and wellness of users 14 and 15 years of age to ensure an  
213 age appropriate experience on the social media platform, including, but not limited to, safety  
214 settings that shall:

215 (i) restrict the visibility of the account of a user 14 or 15 years of age to connected  
216 accounts;

217 (ii) require age verification to change user settings;

218 (iii) require age verification to access sensitive content, including age-restricted content  
219 on a social media feed and messages;

220 (iv) only allow a user who is 14 or 15 years of age to share content to connected  
221 accounts; and

222 (v) restrict direct messaging capabilities for a user who is 14 or 15 years of age to only  
223 allow direct messaging to connected accounts.

224 (5) To protect the health and wellness of a minor who is 14 or 15 years of age, including,  
225 but not limited to, mental and behavioral health, a social media platform shall prohibit a minor  
226 who is 14 or 15 years of age from being a user of an addictive social media feed.

227 (6) To protect the health and wellness of a minor who is 14 or 15 years of age, including,  
228 but not limited to, mental and behavioral health, no social media platform shall send notifications  
229 to a minor who is 14 or 15 years of age between the hours of 12:00 a.m. and 6:00 a.m. eastern  
230 standard time.

231 (7) No social media platform shall withhold, degrade, lower the quality or increase the  
232 price of any product, service or feature to a user who is 14 or 15 years of age due to the social  
233 media platform not being permitted to provide an addictive social media feed to the user.

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

239 (b) A social media platform shall implement a review process to allow users to appeal the  
240 social media platform's age determination pursuant to subsection (a). The user may submit

241 documentary evidence electronically to the social media platform to establish that the user meets  
242 the age requirements of section 2. Not later than 3 days after receipt, a social media platform  
243 shall review the documentary evidence submitted by the user and shall make a determination on  
244 the appeal.

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

251 (d) No social media platform shall share any data related to a minor user and their  
252 LGBTQ+ protected status or any other protected status pursuant to chapter 151B.

253 Section 4. (a) A social media platform shall publicly and conspicuously post to the social  
254 media platform's website the number of: (i) users processed using the age assurance or  
255 verification system pursuant to section 3; (ii) users granted access to the social media feed due to  
256 the age determination appeal process under section 3; (iii) users denied access to the social media  
257 feed due to the user not meeting the age requirements under section 2; (iv) users granted access  
258 to the social media feed after providing the social media platform with verifiable parental  
259 consent under section 2; (v) account user age verification review requests received under section  
260 3; and (vi) accounts subsequently terminated for not meeting age requirements due to account  
261 user age verification review requests.

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

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

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

270 Section 6. The attorney general shall promulgate regulations to implement this chapter  
271 including, but not limited to, the definition of “social media platform” as defined in section 1.  
272 The attorney general shall annually review the definition of “social media platform” to ensure  
273 that the definition includes public websites, online services, online applications or mobile  
274 applications with features that are harmful to the health and wellness of minors age 15 and under.

275 Section 7. The office of the attorney general shall maintain on its website an online  
276 submission platform to receive complaints, information or referrals from members of the public  
277 concerning a social media platform’s alleged compliance or non-compliance with this chapter.

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

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

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

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

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

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

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

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

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

299 (3) The department shall ensure that any technology service providers demonstrate  
300 compliance with federal and state privacy laws, including, but not limited to, 20 U.S.C. § 1232g,  
301 15 U.S.C. §§ 6501 et seq. and sections 34D and 34E of chapter 71 of the General Laws.

302 (4) The department shall evaluate each response to the procurement pursuant to  
303 paragraph (1) to ensure that a technology service provider shall: (i) not collect any data from

304 personal electronic devices except for the purposes of providing a technological means of  
305 rendering the device inoperable during the school day, including, but not limited to, prohibited  
306 purposes related to targeting advertising or the creation of digital profiles of individuals; (ii) not  
307 sell, rent or distribute data disclosed from personal electronic devices as part of its provision of  
308 technological services at a school; and (iii) destroy all disclosed data when no longer needed to  
309 provide a technological means of rendering personal electronic devices inoperable during the  
310 school day or when a school district requests such deletion.

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

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

322 SECTION 5. Not later than September 1, 2026, each district shall file its policy pursuant  
323 to section 102 of chapter 71 of the General Laws, inserted by section 2, with the department of  
324 elementary and secondary education in a manner and form prescribed by the department. If no

325 policy is approved by the district by September 1, 2026, the department’s model policy shall be  
326 in effect until such time as a district policy is approved.

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

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

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

340 SECTION 9. Section 3 shall take effect on October 1, 2026. ; by inserting before the  
341 enacting clause the following emergency preamble:

342 “Whereas, The deferred operation of this act would tend to defeat its purpose, which is to  
343 make certain changes in law to protect the health and wellness of minors, promote safe  
344 technology use and provide distraction-free education for youth, which is immediately necessary  
345 to accomplish important public purpose, therefore it is hereby declared to be an emergency law,  
346 necessary for the immediate preservation of the public health.”; and by striking out the title and

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