

SENATE No. 463

The Commonwealth of Massachusetts

PRESENTED BY:

John C. Velis, (BY REQUEST)

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 regulating screen time and technology privacy in early and K-12 education.

PETITION OF:

NAME:

Kirstin Beatty

DISTRICT/ADDRESS:

*149 Central Park Drive, Holyoke, MA
01040*

SENATE No. 463

By Mr. Velis (by request), a petition (accompanied by bill, Senate, No. 463) of Kirstin Beatty, for legislation to regulate screen time and technology privacy in early and K-12 education. Education.

The Commonwealth of Massachusetts

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

An Act regulating screen time and technology privacy in early and K-12 education.

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. The legislature finds and declares all of the following:

2 Whereas, information technology captures data for profiling, predictive analytics, and
3 crime, and addictive persuasive design influences thoughts and behavior.

4 Whereas, the Journal of the American Medical Association published a 2019 study that
5 found high levels of screen time reduces structural integrity in key brain areas responsible for
6 literacy and language.

7 Whereas, digital programs are under corporate direction and outside local control, and the
8 content of corporate educational materials has often been found to reflect corporate interests,
9 corporate marketing, be generic, and lack currency or individualization.

10 Whereas, the Massachusetts education standards mandate screen time: writing standards
11 require students “use [digital tools (e.g. computers, mobile phones, cameras)] to convey

12 messages in pictures and in words” in PreK; “explore a variety of digital tools” to write in Grade
13 1; and gather information from digital sources by Grade 3.

14 Whereas, integrating software learning into every subject requires far too much time and
15 energy of teachers and students to evaluate, regulate, learn, fix and maintain software that
16 quickly becomes outmoded -- yet Massachusetts education standards integrate technology into
17 every subject and thus subtract precious time from other subjects like handwriting and
18 mathematics, as well as from higher order thinking and knowledge.

19 Whereas, an hour of videoconferencing or streaming emits 150 – 1,000 grams of carbon
20 dioxide (a gallon of gasoline car exhaust emits about 8,887 grams), requires 2 – 12 liters of
21 water, and demands a land area about the size of an iPad Mini (Obringer et al, 2021).

22 Whereas, mandates for screen time prevent public schools from adopting alternative
23 learning models that may be locally preferred, such as Montessori, Waldorf, or outdoor learning
24 models.

25 Whereas, extended screen time is widely acknowledged as harmful to physical health due
26 to time sitting, staring, blue light exposure, magnetic and electric fields, wireless emissions, and
27 lack of movement.

28 Whereas, Dr. Martin Pall, Dr. Devra Davis, Dr. Henry Lai, Dr. Belpoggi, Dr. Belyaev,
29 Dr. De-Kun Li, Dr. Belpomme, and countless other reputable experts have provided peer-
30 reviewed studies demonstrating that exposure to non-ionizing radiation like wireless and certain
31 electricity exposures causes DNA breaks and mutations in germ line cells that produce mutations
32 in future generations; produces oxidative stress and free radical damage that have major roles in

33 chronic disease; and attacks the endocrine and nervous systems including our hormone balance
34 and our brains.

35 Resolved, that the policy goals of this act shall be to encourage educational authorities to
36 view technology use and screen time as secondary to education, utilizing only when strong
37 evidence of benefits exists and privacy is protected; to eliminate state mandates to utilize
38 technology across curriculum in public schools; to provide a basic set of limits on student
39 technology and school screen time use from early education through grade twelve; and to
40 encourage alternatives to virtual and digital learning.

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

43 School screen time and cellphone limits

44 (a) Definitions. As used in this section, the following words shall have the following
45 meanings:

46 "Board" is the board of elementary and secondary education.

47 "Commissioner" is the commissioner of elementary and secondary education.

48 "Confidential data" is data collected on students or staff and which includes:

49 (1) standard identifying information:

50 i. names of staff and students

51 ii. dates of birth

52 iii. addresses

53 iv. grades

54 v. medical information

55 vi. exam results

56 vii. staff development reviews

57 viii. assessments

58 ix. other personal identifying information

59 (2) identifying data such as location-tracking, photographs, and biometric data, which
60 includes unique biological or behavioral identifiers such but not limited to voice audio,
61 fingerprints, gait recognition, and keystroke dynamics.

62 (3) personal writings or other personal work such as art

63 (4) political views

64 (5) socioeconomic data

65 (6) disciplinary data

66 (7) similar data or information on other individuals that are not students or staff, but may
67 be referenced in or extracted from student and staff data.

68 (8) observed and inferred data from the data provided

69 "Department" is the department of elementary and secondary education.

70 “Screen time” is time viewing a technological or digital screen which includes but is not
71 limited to a television, a smart board, projector, or computer.

72 “Passive screen time” is time viewing a technological or digital screen in which one only
73 observes and does not interact or alter the screen by typing or otherwise moving the body.

74 “Interactive screen time” is time viewing and interacting with or altering a technological
75 or digital screen by typing or otherwise moving the body.

76 “Virtual reality” is an interactive screen time experience taking place in a simulated
77 visual environment, either real or imagined, and may incorporate auditory and sensory feedback.
78 Augmented reality systems is a type of virtual reality in which perception of the real world is
79 augmented by computer-generated perceptual information such as visual, auditory, haptic,
80 somatosensory, and olfactory.

81 “Authority” is the authority legally invested with setting policy for a public charter
82 school, virtual school, or, in the case of a school district, the elected school committee.

83 (b) School screen time limits. Each public school authority shall set and publish a limit on
84 school screen time and cellphone use, setting limits for both interactive screen time and passive
85 screen time with input from the local community, school staff, students, and guardians. A
86 baseline for school screen time and cellphone limits is provided in subsection (e), which shall
87 apply unless the authority adopts more stringent or liberal limits. The authority must base its
88 school screen time limits on the principles defined in subsection (c) and must follow a public
89 commenting process as defined in subsection (d) for an initial and ensuing annual review. Except
90 as defined in subsection (f), any other revisions to existing school screen time limits also require
91 a public hearing.

92 Except as defined in this subsection and subsection (f), it shall be unlawful for any school
93 or teaching staff to allow a student enrolled in either public primary or secondary schools in the
94 Commonwealth to exceed screen time limits during and after school hours for school-related
95 assignments, including extra-curricular activities.

96 Except as defined in subsection (c) and (f), it shall be unlawful to require screen time as a
97 condition of public primary and secondary school required coursework or activities.

98 Nothing in this law requires the use of digital technology or screen time, nor preempts
99 more restrictive state or local limitations.

100 (c) Screen time principles. School screen time limits must be premised on educational
101 benefits to the student and safe use rather than simply convenience or savings to the educator or
102 school system. Therefore, recommendations for school screen time limits must be based on the
103 following findings:

104 (1) The educational goal cannot be as easily or as quickly be accomplished by traditional
105 educational methods which do not use screen time and the use of technology serves an
106 educational purpose;

107 (2) The specific use of screen time provides educational benefits superior to traditional
108 methods which do not use screen time;

109 (3) The selection of products, potential gateways to other platforms, and scheduling of
110 screen time is carefully considered to prevent physical, psychological, social, cultural, and
111 neurological adverse consequences, including digital addiction;

112 (4) Other than exceptions listed in subsection (f), courses and school activities revolving
113 around prolonged screen time are limited to students in grades 8 to 12, with no more than 90
114 minutes of screen time daily through grade 9 and 120 minutes of screen time daily through grade
115 12.

116 (5) Other than exceptions listed in subsection (f), children or students below grade eight
117 are not to exceed more than 5 hours of passive screen time in a month; to have no interactive
118 screen time below grade four; and from grade four through seven are not to exceed more than 1
119 hour of interactive screen time weekly.

120 (5) Students under age 16 are not to use virtual reality technology.

121 (6) Students age 16 and above are not to use to virtual reality technology without an
122 explicit opt-in form, explicit verbal warnings of potential negative effects, and, unless clear
123 scientific evidence proves safety for both mental and physical development, must limit time
124 spent in virtual reality to a maximum of 1 hour in a year expressly tied to a specific educational
125 purpose other than entertainment.

126 (8) Courses or school activities that revolve around extensive screen time are voluntary,
127 and screen time requirements in those activities highly relevant to the subject matter of the
128 course or school activity.

129 (9) Traditional forms of instruction and learning which do not use screen time are
130 preferred whenever desired by the educator or when these accomplish the task as well or
131 approximately as well.

132 (10) Technology implementation and use follows the best practices for health, safety, and
133 confidential data protection, and closes any intentional or unintentional gateway to products or
134 services with adverse impacts, such as from, but not limited to, persuasive design, distracting
135 entertainment, and data profiling.

136 (11) Use of digital technology or screen time is carefully designed by the school, teacher,
137 and support staff to insure procedures are in place, including data processing agreements, to help
138 protect confidential data and, when the purpose is fulfilled, destroy the confidential data.

139 (12) If the screen time involves voice or video recording, the careful consideration of
140 whether students or educators must be heard or visible on the screen, and whether video and
141 sound recordings can be avoided and still fulfill the educational purpose.

142 (13) Compliance with all confidential data protection requirements at the local, state, and
143 federal level.

144 (d) Public hearing decision. Except as defined in section (f), the authority must provide
145 for a public hearing during annual reviews and before setting any new screen time limits.

146 For the public hearing, each authority shall publish a public notice and shall additionally
147 inform all students, guardians, and school personnel of the hearing and commenting procedures
148 using standard protocols used by the school or school district. These notices shall provide an
149 electronic and postal address for written submissions; hearing time, date, and location; and that
150 any party with a financial interest in promoting cellphone use or screen time is to self-identify by
151 including the name of any relevant business and any product in conjunction with his or her name
152 and accompanying statement of financial interest. The public hearing shall be set at time
153 convenient to most school personnel, students, and guardians.

154 School teachers and school departments shall be provided time in school to meet as
155 departments and as a school at least three weeks in advance of the hearing in order to review and
156 discuss the proposed screen time and cellphone limits, principles, and consider recommendations
157 for submission of public comments to the authority.

158 The hearing and all written comments, including the names of the testifiers, submitted
159 shall be subject to the Open Meeting Law and written comments shall be available to the public
160 for a reasonable sliding-scale fee or freely available for review – however, one exception to this
161 rule shall be that any student, guardian, or teacher request based on personal needs shall not
162 require or allow exposure of the name of the testifier unless desired by the testifier and, if
163 relevant, his or her guardian.

164 Following the hearing and within eight weeks, the authority shall finalize and vote on the
165 cellphone and screen time limits by a vote of the majority members of the authority and shall
166 prepare a public statement of its decision.

167 The public statement must state :

168 (1) all requests for additional screen time or cellphones by parties outside of the school
169 system, excepting requests exempted under subsection (f) or (j), including for potential future
170 attendance;

171 (2) for each request for additional screen time, the relevant names of any school district
172 or school staff who made the request, excepting requests exempted by subsection (f) or (j);

173 (3) a clearly marked list of all individuals with a financial interest due to business or to
174 potential product sales that request increased screen time;

175 (4) the factual reasoning for the decisions based on the principles in subsection (c);

176 (5) how the individuals of the authority voted;

177 (6) optionally, a statement of reasons for dissent prepared by any individual(s) in the
178 authority.

179 (e) Proposed screen time and cellphone limits. Proposed screen time restrictions are
180 provided according to grade level as follows:

181 (1) Pre-K through kindergarten screen time: maximum of 4 hours, none of which may be
182 interactive;

183 (2) First through second grade: maximum 5 hours per school year, none of which may be
184 interactive;

185 (3) Grade three through seven passive screen time: maximum of one hour a day and 5
186 hours total in the school year;

187 (4) Grade three interactive screen time: none;

188 (4) Grade four through seven interactive screen time: maximum of 20 minutes a day and
189 a maximum of 3.5 hours total in the school year;

190 (5) Grade 8 through 10 passive screen time: maximum of one hour a day and 25 hours
191 total in the school year;

192 (6) Grade eight interactive screen time: maximum of one hour a day and 5 hours total in
193 the school year.

194 (7) Grade nine through ten interactive screen time: maximum of one hour daily and 10
195 hours total in the school year.

196 (8) Grade 11 through 12 passive screen time: maximum of one hour a day and 35 hours
197 total in the school year;

198 (9) Grade eleven through twelve interactive screen time: maximum of one hour daily and
199 30 hours total in the school year.

200 (10) All grades are to leave cellphones at home or in airplane mode at school in furnished
201 lock-boxes, relying on the school telecommunications system for any necessary calls.

202 (f) Exceptions to screen time limits. With a public hearing, individual or school-wide
203 exceptions may be granted to school screen time limits beginning in the eighth grade for: (1)
204 specialized, optional courses whose subject requires screen time, such as computer
205 programming; and (2) extracurricular activities whose subject requires screen time, such as a
206 computer programming club.

207 A Commonwealth virtual school shall be excepted from screen time limits insofar as
208 excused by its design as described in section 94 of Chapter 71 Title I of the General Laws.
209 Despite this exception, the virtual school must to the maximum extent use its resources to
210 minimize screen time, where possible and when beneficial to the student, and to meet the
211 expectations of subsections (d) and (c), including reporting.

212 Some exceptions to screen time limits do not require a public hearing due to private or
213 emergency nature. If an exception is granted to school screen time limits on the basis of a school
214 or public emergency, the authority shall reconvene as soon as the emergency has passed to

215 establish an orderly, swift process to end the temporary extension and return to the limits
216 previously established without the need for a public hearing. If the reason for an exception no
217 longer exists with respect to a private need, the exception granted is ended.

218 The following exceptions shall be granted with respect to school screen time limits
219 without requiring a public hearing:

220 (1) when a condition of the student’s individualized education plan, or when a licensed
221 physician determines necessary for health, an exception to school- or district-wide screen time
222 limits shall be granted;

223 (2) quarantine to prevent transmission of a dangerous disease;

224 (3) personal condition of a student that prevents student school attendance, such as a
225 personal emergency or suspension from school;

226 (4) an unexpected school or public disaster obstructing use of classrooms for in-person
227 learning.

228 (g) Informed consent and opt-outs. Information about school technology shall be made
229 available to school students, guardians, and staff to support the principles in subsection (c) by the
230 authority to the best of its knowledge and ability. The authority shall insure each educator has
231 easy access to a printed list of all software and technologies utilized by the educator, including as
232 specifically connected to each technology product or service, information about the data
233 collected, parties to the data, associated companies, data processing agreements, and any
234 attendant risks provided in the product manual or service contract and any other attendant risks
235 that are known to exist.

236 The authority shall insure each guardian and student is also provided with a copy of the
237 list as relevant to the student. The delivery of this information to students and guardians may be
238 assigned to classroom teachers.

239 Given this information, each guardian and student shall be provided with the opportunity
240 to opt out of the use of any specific product or service.

241 (h) Violations. Each authority shall establish a screen time policy to prevent violations
242 and to deal with students and staff who violate this law that includes consequences to prevent
243 violations. This screen time policy shall include staff professional development on the policy and
244 the hazards of excessive screen time and technology use.

245 Any outside party, including any co-conspirators, attempting to subvert this law in order
246 to increase the use of any technological product shall be subject to civil charges and a penalty.
247 The party or parties shall pay restitution and return profits, including earnings for lobbying.
248 Additionally each party shall be pay a maximum fine of the earnings the party has available in 15
249 days, based on the preceding year's earnings, or serve equivalent time in custody or performing
250 charitable service, or both serve the time and pay the fine.

251 (i) Cellphone limits. The authority shall adopt a policy to limit or prohibit the use by
252 students of cellphones while the students are the school site or while under the supervision and
253 control of an employee or employees of that school or school district. The authority may also
254 limit use by staff.

255 (j) Cellphone exceptions. Notwithstanding subsection (i), no person shall be prohibited
256 from possessing or using a cellphone under any of the following circumstances:

257 (1) In the case of an emergency, or in response to a perceived threat of danger.

258 (2) When a licensed physician and surgeon determines that the possession or use of a
259 cellphone is necessary to the person's health.

260 (3) When the possession or use of a cell phone is required in a student's individualized
261 education program.

262 (k) End technology mandate across curriculum. The Board, commissioner, and
263 department shall revise state education goals, curriculum frameworks, and evaluation
264 requirements to eliminate any educational mandate for the use of digital technology or of
265 information technology except in extracurricular courses in the subject area, and eliminate
266 requirements and evaluations of the use of digital and information technology across curriculum
267 in all subjects excepting courses in the subject area.

268 SECTION 3. Section 1I of chapter 69 of the General Laws, as appearing in the 2021
269 Official Edition, is hereby amended by adding the following paragraph after the first paragraph:-

270 Digital technology use shall be an optional and not a required condition of public school
271 learning. Unless voluntarily enrolling in a technology course, no public school student or legal
272 guardian shall be treated with prejudice or found wanting in an evaluation due to following a
273 principle of restricting or avoiding student digital technology use. A student or school may safely
274 restrict or avoid digital student technology use and still be provided high marks in evaluation
275 based upon other measures. Within reason, however, such a school shall be expected to insure
276 students understand age-appropriate aspects of digital technology use related to safety, health,
277 responsibility, societal impacts, and privacy.

278 SECTION 4. Section 1I of chapter 69 of the General Laws, as appearing in the 2021
279 Official Edition, is hereby amended striking the phrase “and (d) performance benchmarks and
280 processes for evaluating the effect of district improvement initiatives” and replacing with the
281 following phrase:-

282 and (d) performance benchmarks and processes for evaluating the effect of district
283 improvement initiatives; performance benchmarks and processes shall include not only academic
284 evaluation, but evaluation of measures to improve environmental health, protect privacy, protect
285 cybersecurity, reduce screen time, encourage academic freedom, reduce student and staff stress,
286 and provide adequately for student recess, social interaction, and intermittent breaks

287 SECTION 5. Subsection (a) of Section 94 of Chapter 71 of the General Laws, as
288 appearing in the 2021 Official Edition, is hereby amended by striking out the sentence
289 ““Commonwealth virtual school”, a public school operated by a board of trustees whose teachers
290 primarily teach from a remote location using the internet or other computer-based methods and
291 whose students are not required to be located at the physical premises of the school.” and
292 inserting in place thereof the following sentence:-

293 "Commonwealth virtual school" is a public school operated by a board of trustees whose
294 teachers primarily use distance learning, where the student is not required to be located at the
295 physical premises of the school and instead uses computer-based methods, the internet,
296 telephone, or correspondence by post.

297 SECTION 6. Section 94 of Chapter 71 of the General Laws, as appearing in the 2021
298 Official Edition, is hereby amended by adding the following subsection:-

299 (s) In reviewing proposals, conducting certification and re-certification, the board and
300 department shall require virtual schools to adopt pedagogical strategies and curriculum, when
301 possible and appropriate to student ability, which adopt the following policies: (1) reduce the
302 time students spend before digital screens; (2) with remote learning, provide real-time access to
303 the subject-area teacher during school hours or an option clear to the students for reaching
304 subject-area teachers during school hours for help; (3) provide a weekly schedule for students or
305 guardians to access teachers with a phone call or other real-time in-person method comparable
306 to after-school hours at traditional brick-and-mortar schools; (4) routinely include teacher-led
307 virtual lessons in real time, rather than relying exclusively on EdTech programs; (5) utilize and
308 favor curriculum and lessons the teacher has vetted, modified, and chosen or created in
309 coordination with student needs and current events, rather than industrial, mass-produced,
310 programmed, or otherwise scripted curriculum.

311 SECTION 7. Chapter 15D of Part I Title II of the General Laws is hereby amended by
312 adding the following section: -

313 (a) Definitions. As used in this section, the following words shall have the following
314 meanings:

315 “Confidential data” is data collected on students or staff and which includes:

316 (1) standard identifying information:

317 i. names of staff and students

318 ii. dates of birth

319 iii. addresses

320 iv. grades

321 v. medical information

322 vi. exam results

323 vii. staff development reviews

324 viii. assessments

325 ix. other personal identifying information

326 (2) identifying data such as location-tracking, photographs, and biometric data, which
327 includes unique biological or behavioral identifiers such but not limited to voice audio,
328 fingerprints, gait recognition, and keystroke dynamics.

329 (3) personal writings or other personal work such as art

330 (4) political views

331 (5) socioeconomic data

332 (6) disciplinary data

333 (7) similar data or information on other individuals that are not students or staff, but may
334 be referenced in or extracted from student and staff data.

335 (8) observed and inferred data from the data provided

336 “Interactive screen time” is time viewing and interacting with or altering a technological
337 or digital screen by typing or otherwise moving the body.

338 “Screen time” is time viewing a technological or digital screen which includes but is not
339 limited to a television, a smart board, projector, or computer.

340 “Passive screen time” is time viewing a technological or digital screen in which one only
341 observes and does not interact or alter the screen by typing or otherwise moving the body.

342 (b) Technology screen, safety and privacy limits. The department of early education and
343 care, the commissioner of early education and care, and the board of early education and care
344 shall limit and circumscribe screen time and digital technology in early education and care for
345 the benefit of staff and children, including but not limited to the following conditions:

346 (1) Areas where children spend the majority of time shall not have a television, computer
347 monitor, or other screen routinely playing video, including moving images, or video games, to
348 provide for either passive or interactive screen time.

349 (2) Toys utilized by children in early education and care shall not have the capability for
350 passive or interactive screen time.

351 (3) Toys utilized in early education and care shall not have the ability to record
352 confidential data.

353 (4) Passive and interactive screen time shall be prohibited for children under age 4.

354 (5) Beginning at the age of 4, children may be allowed passive screen time, not
355 interactive screen time however. Passive screen time is not to exceed one of the following
356 choices: (i) one day of each week for 90 minutes; (ii) 20 minutes daily; or (iii) three days for 30
357 minutes.

358 (6) Promote non-digital social interaction, time outdoors, and free play and prevent use of
359 screen time as a reward.

360 (7) Children are not to utilize a cellphone or other screen-based digital device as a toy.

361 (8) Limit and discourage the posting of children’s confidential data on social media,
362 unsecured cellphones, or other non-secure online platforms and if posting first acquire
363 permission from the guardian(s).

364 (9) Provide that early education certification and re-certification provides relevant
365 education on cybersecurity, privacy, screen time and technology concerns.

366 (10) Limit and discourage the posting of children’s confidential data on social media,
367 unsecured cellphones, or other non-secure online platforms and if posting first acquire
368 permission from the guardian(s).

369 (11) Provide that early education certification and re-certification provides relevant
370 technology education on cybersecurity, privacy, cultural and electromagnetic hazards.

371 (13) Discourage or limit the use of wireless devices, including video and voice devices
372 intended to monitor children.

373 (14) Regulate screen time to prevent the impact of bright, artificial light from disrupting
374 circadian rhythms and sleep.

375 (15) Test electric and magnetic fields to insure that the play and rest areas have at
376 minimum an extremely low frequency (ELF) and very low frequency (VLF) magnetic field less
377 than 100 microTesla (100 nT), an ELF and VLF electrical field less than 1 volt per meter (V/m),
378 and insure electrical equipment is kept away from play and rest areas – if stricter limits or

379 policies are recommended by the state or federal government, adopt these stricter limits or
380 policies.

381 (16) Avoid the use of wireless devices, such as routers or cellphones, and WiFi near or in
382 play or rest areas, or where children spend the majority of time.

383 (17) Hard wire any necessary digital equipment and verify that wireless transmissions
384 have been and remain halted.

385 (18) Adopt best practices to protect environmental health with regard to electromagnetic
386 and chemical emissions from electric equipment and digital technology.