

Model Legislation to Promote Safe, Effective, and Distraction Free Education for PreK-12 Students

This package of model bills was drafted by the [Becca Schmill Foundation](#) in collaboration with [The Anxious Generation](#), the [USC Neely Center](#), [Fairplay](#) and the [Phone-Free Schools Movement](#). It was written to establish a gold standard that prioritizes students' mental health and development, academically and socially. This package of model legislation contains two separate bills, each of which is designed to promote children's learning, focus, and emotional health during school hours. The first bill in this package focuses on banning personal electronic communication devices in schools. The second reduces schools' reliance on social media in the classroom and during extracurricular activities.

MODEL LEGISLATION FINDINGS

The [state] Legislature finds that our children are experiencing a mental health crisis and the heavy use of smartphones and social media is a primary contributor, and:

(a) Virtually all teens (95%) ages 13 to 17 use social media, and more than 1 in 3 report that they use it “almost constantly.” Even though most social media platforms set 13 as the minimum age requirement, **nearly 40% of kids ages 8 to 12 use social media.** [Teens, Social Media and Technology 2024](#); [Teens, Social Media and Technology 2022](#); [The Common Sense Census: Media Use by Tweens and Teens, 2021](#).

(b) Studies have shown that higher use among children and adolescents is linked to adverse effects: depression and anxiety; inadequate sleep (which can disrupt neurological development and lead to depression and suicidal behaviors); low self-esteem; poor body image; eating disorder behaviors; and online harassment. [Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory](#), 2023. It's often the most vulnerable youth who are most affected by these adverse effects, increasing disparities.

(c) In Jonathan Haidt's 2024 book, *The Anxious Generation: How the Great Rewiring of Childhood Is Causing an Epidemic of Mental Illness*, he documents the staggering increases since 2010 in clinical diagnoses of anxiety (134%); depression (106%); anorexia

(100%); and substance abuse and addiction (33%). [*The Anxious Generation: How the Great Rewiring of Childhood is Causing an Epidemic of Mental Illness, 2024.*](#)

(d) The U.S. Surgeon General has emphasized the link between social media and mental health harms to adolescents. He has called for warning labels on social media to address "the defining public health challenge of our time," and has stated that "the risk of not acting could be someone's life." [*Surgeon General: Why I'm Calling for a Warning Label on Social Media Platforms, The New York Times, 2024.*](#)

(e) Social media and gaming platforms have evolved to include manipulative and addictive features that pose a significant risk of harm to the mental health and well-being of children and adolescents. [*Prevalence and Characteristics of Manipulative Design in Mobile Applications, 2022;*](#) [*Addictive Features of Social Media/Messenger Platforms and Freemium Games against the Background of Psychological and Economic Theories, International journal of environmental research and public health, 2019.*](#)

(f) Members of historically marginalized groups are disproportionately impacted by cyberbullying online.

- Black teens are more likely than Hispanic or White teens to say they have been cyberbullied because of their race or ethnicity. Black and Hispanic teens are far more likely than White teens to say online harassment and bullying are a major problem for people their age. *Teens and Cyberbullying 2022, Pew Research Center, 2022.*
- According to the 2023 Youth Risk Behavior Survey, LGBTQ+ students were almost twice as likely (25% compared to 16%) than cisgender and heterosexual students to be electronically bullied. *Youth Risk Behavior Survey Data Summary & Trends Report 2013-2023, US Centers for Disease Control and Prevention, 2024.*

(g) There is growing evidence that unrestricted use of personal electronic devices and access to social media by students at elementary, middle, and secondary schools interferes with the educational and social development mission of schools, lowers student performance (particularly among low-achieving students), promotes cyberbullying, contributes to higher rates of academic dishonesty (i.e., plagiarism and

cheating). [*Cell Phones, Student Rights, and School Safety: Finding the Right Balance, Canadian Journal of Educational Administration and Policy, 2021.*](#)

(h) A New York Times review of more than 400 fight videos from more than a dozen states — as well as interviews with three dozen school leaders, teachers, police officers, pupils, parents, and researchers — found a pattern of middle and high school students exploiting phones and social media to arrange, provoke, capture and spread footage of brutal beatings among their peers. In several cases, students later died from the injuries. [*An Epidemic of Vicious School Brawls, Fueled by Student Cellphones, New York Times, 2024.*](#)

(i) A 2020 study of Norwegian schools that had banned smartphones, found that:

- Banning smartphones lowers the incidence of bullying for both girls and boys,
- Banning smartphones results in girls making gains in both their GPA and externally graded mathematics exams, on the order of 0.22 standard deviations. For comparison, the author notes that reducing class size by one student correlates to an improvement of about 0.00–0.05 standard deviations,
- These benefits are particularly strong for students from low socioeconomic backgrounds,
- The effects are particularly strong at schools with the strictest bans, requiring students to hand in or lock away their phones, not just place them on silent mode. The study's author notes that, even in silent mode, phones can still pull at a student's attention, distracting them as they wonder if someone messaged them, liked their status, or whatever else,
- Banning smartphones reduces the number of consultations for psychological symptoms by about 2–3 visits per child, per year.

[*Smartphone Bans, Student Outcomes and Mental Health, Institutt for samfunnsøkonomi, 2024.*](#)

(j) According to school safety experts, cell phones make children less safe in a school emergency. When students use cell phones during an unfolding emergency, it can distract them from important instructions from school staff and safety professionals. Cell phone use can also make a student easier for a person who intends harm during an emergency to be heard or seen. [*Phone-free schools protect kids during emergencies, 2024.*](#)

(k) School should be a safe environment for all students - where social development, learning, and the ability to focus are nurtured and prioritized. It is in the public interest, and is, therefore, the responsibility of this body, to ensure a physically, emotionally, and psychologically safe school environment for every child in [state] - - one where students can learn, make friends, optimize their future potential, and otherwise thrive.

An Act to Create Phone Free Education in PreK-12 Schools

Statement of purpose of bill as introduced: This bill proposes to prohibit access to personal electronic devices in public schools, education centers, charter schools, or training programs, providing pre-kindergarten, elementary, or secondary education.

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

SECTION 1. DEFINITIONS

(a) “Instructional Time” means “the time from when the first bell rings at the start of school day until the dismissal bell rings at the end of the school day, including but not limited to any structured or unstructured learning experiences like recess, lunch periods, time in between classes, and field trips.”

(b) “Parent” means “a parent or guardian of a student who is authorized to make education decisions for the student.”

(c) “Personal Electronic Communication Device(s)” means “any portable electronic equipment capable of providing voice, messaging, or other data communication between two (2) or more parties or devices, or capable of connecting to a smartphone, the internet, or a cellular or Wi-Fi network, including but not limited to smartphones, cellular phones, bluetooth enabled devices, tablets, smartwatches or other wearables, and gaming devices.

Personal electronic communication devices do not include:

- (1) School-owned devices provided to the student in accordance with the limitations placed herein;

(2) Portable devices which meet the definition of a medical device under Section 201(h) of the Food, Drug & Cosmetic Act.

(d) “School” means “any public school, education center, charter school, or training program, providing pre-kindergarten, elementary, or secondary education.”

(e) “School-related activity” means “any school sanctioned activity, event, or function, occurring outside of instructional time, where students are under supervision of the school, whether on or off school premises. School-related activities may include bus rides, field trips, sporting events, and school dances.

(f) “Student” means “an individual currently enrolled or registered at a school as defined under subdivision (d) of this section.”

SECTION 2. PROHIBITION OF PERSONAL ELECTRONIC COMMUNICATION DEVICES

2.1 Prohibition During Instructional Time

(a) Each school district or applicable governing body shall adopt and implement a policy for schools that:

- (1) requires all personal electronic communication devices be turned off, securely locked away, and inaccessible to students during instructional time;
- (2) Ensures that students do not have access to personal electronic communication devices, by requiring them to be locked or stowed away in secure lockable pouches, phone lockers, pencil pouches, manila envelopes, or other inaccessible location;
- (3) Provides that schools may limit student access to personal electronic communication devices outside of instructional time, during school-related activities;
- (4) Includes enforcement provisions to ensure strict compliance with the policy by students and school employees; and
- (5) Provides that a student may contact their parent or caregiver during the school day if needed by using a school telephone made available to the student in a manner and location designated by the school.

(b) Notwithstanding subsection (a), a student shall not be prohibited from possessing or using a personal electronic communication device under any of the following circumstances:

- (1) When a licensed physician determines that the possession or use of a personal electronic communication device is necessary for the health or well-being of the student;
- (2) When the possession or use of a personal electronic communication device is required by a student's Individual Education Plan (IEP), or Section 504 Accommodations Plan.

(c) Districts shall collect data annually to measure the impact of its policy on student behavior, mental health, disciplinary incidents, school attendance, and academic performance.

An Act to Reduce Reliance on Social Media in the Classroom and During Extracurricular Activities

SECTION 1. DEFINITIONS

(a) "Instructional Time" means "the time from when the first bell rings at the start of school day until the dismissal bell rings at the end of the school day, including but not limited to any structured or unstructured learning experiences like recess, lunch periods, time in between classes, and field trips."

(b) "Gaming app" means "a software program that allows users to play games on mobile devices, tablets, or computers."

(c) "Personal Electronic Communication Device(s)" means "any portable electronic equipment capable of providing voice, messaging, or other data communication between two (2) or more parties or devices, or capable of connecting to a smartphone, the internet, or a cellular or Wi-Fi network, including but not limited to smartphones, cellular phones, bluetooth enabled devices, tablets, smartwatches or other wearables, and gaming devices."

Personal electronic communication devices do not include:

- (1) School-owned devices provided to the student in accordance with the limitations placed herein;
- (2) Portable devices which meet the definition of a medical device under Section 201(h) of the Food, Drug & Cosmetic Act.

(d) "Parent" means "a parent or guardian of a student who is authorized to make education decisions for the student."

(e) "School" means "any public school, education center, charter school, or training program, providing pre-kindergarten, elementary, or secondary education."

(f) "School-related activity" means "any school sanctioned activity, event, or function, occurring outside of instructional time, where students are under supervision of the school, whether on or off school premises. School-related activities include but are not limited to bus rides, field trips, sporting events, and school dances."

(g) "Social Media" means "any public-facing website, online service, online application, mobile application, or gaming application, used primarily for the purpose of posting and viewing user-generated content. For the purposes of this Act, Social media does not include:

- (1) an online website, application, or mobile application where the exclusive function is e-mail or direct messaging shared only between the sender and intended recipients, without displaying or posting publicly or to other users not specifically identified as the recipients by the sender.
- (2) An online website, application, or mobile application where the posting of comments or other interactive functionality is merely incidental to its predominant purpose.
- (3) A school sanctioned website, application, or service used for the purpose of publishing student journalism, or school related news, events, and updates."

(h) "Student" means "an individual currently enrolled or registered at a school as defined under subdivision (e) of this section."

SECTION 2. PROHIBITION OF SOCIAL MEDIA IN SCHOOLS

2.1 Prohibition of Integration of Social Media Platforms into Education

(a) Each school district or applicable governing body shall adopt and implement a policy that prevents students from relying on social media. Such policy shall:

- (1) prohibit schools, school employees, or school volunteers from utilizing social media for communication with students during instructional time or for the facilitation of school-related activities;
- (2) prohibit students from accessing social media or gaming apps during instructional time or school-related activities;
- (3) prohibit students from accessing social media or gaming apps on school-issued electronic communication devices;
- (4) Prohibit students from accessing social media or gaming apps on personal electronic communication devices during instructional time or school-related activities;
- (5) Require schools to block access to social media and gaming apps on school provided internet connections;

(b) Schools may allow exceptions to the prohibitions of the policy required under subsection (a) for any of the following:

- (1) For work which requires shared documents, emails, or the use of the Internet for the completion or enhancement of homework assignments, and the electronic submission of assignments.
- (2) For a school authorized use, where such use:
 - (A) is limited to school issued devices;
 - (B) is approved in writing by the school's superintendent or his or her designee;
 - (C) is required to meet a standards-aligned educational objective that cannot be reasonably achieved without the use of social media or gaming apps.
 - (D) contains clear instructions on the appropriate use of social media and/or gaming apps to align with the approved educational objectives; and
 - (E) may be revoked by the school's superintendent or his/her designee at any time."