

Healthy Early Development and Screen Time Act

Answers to Frequently Asked Questions

1. Why was Act 2026-169 created?

The Legislature found that birth through five years of age is a critical period of brain development, language acquisition, and social-emotional growth. Act 2026-169 cites research associating excessive screen exposure in young children with developmental concerns and states the intent to provide parents, caregivers, and educators with research-based guidelines and standards regarding screen time to safeguard children's healthy development.

[Act 2026-169 references: Section 1\(b\)](#)

2. Who does Act 2026-169 apply to?

Act 2026-169 applies to "early childhood education programs," defined as: licensed child care facilities serving children five years of age and younger; prekindergarten programs operating under Article 2; and public kindergarten programs. The term also includes any afterschool, extended day, or summer program provided by one of those covered facilities or programs.

[Act 2026-169 references: §26-24-60\(3\)](#)

3. Which programs fall under each oversight entity?

The Alabama Department of Early Childhood Education (ADECE) monitors prekindergarten programs operating under Article 2. The Alabama Department of Human Resources (DHR) monitors licensed day care centers, day care homes, group day care homes, and night care facilities that serve children five years of age and younger. The Alabama State Department of Education (ALSDE), with assistance from local school principals, monitors public kindergarten compliance with policies adopted by local boards of education.

[Act 2026-169 references: §26-24-65; §§16-40-15 and 38-7-7.1](#)

4. Does the law apply to all prekindergarten programs?

No. The Act 2026-169 specifically identifies "prekindergarten programs operating under Article 2," most commonly referred to as First Class Pre-K. The Act does not state that every prekindergarten program in Alabama is covered.

[Act 2026-169 references: §26-24-60\(3\)a.2](#)

5. Does the law apply to after-school or summer programming?

Yes, when the afterschool, extended day, or summer program is provided by a covered facility or program. The statutory definition does not separately list before-school programs.

[Act 2026-169 references: §26-24-60\(3\)b](#)

6. What types of technology are addressed?

The Act uses the term "screen-based media," meaning visual media devices including, but not limited to, televisions, computers, smart phones, and tablets.

[Act 2026-169 references: §26-24-60\(6\)](#)

7. What counts as screen time?

"Screen time" means time spent using screen-based media. It does not include live, interactive video communication, such as a video call with a child's family.

[Act 2026-169 references: §26-24-60\(7\)](#)

8. What does the law prohibit or restrict?

Act 2026-169 prohibits background television and passive screen time. It also provides that screen-based media may not be unreasonably used as a substitute for teacher-led instruction, reading, hands-on learning, or outdoor play; must meet the developed screen time standards; and must be actively supervised by staff. The standards must provide that no screen time may be allowed for students under two years of age.

[Act 2026-169 references: §26-24-62\(a\)-\(b\); §26-24-63\(1\)](#)

9. Does Act 2026-169 prohibit all screen use for children age two and older?

No. Act 2026-169 requires the agencies to develop age-appropriate time limits, standards, and best practices. It does not itself state a specific daily time limit for children age two and older. Covered screen use must meet the standards that will be developed and must be actively supervised.

[Act 2026-169 references: §26-24-62\(a\); §26-24-63](#)

10. What exceptions are included in Act 2026-169?

The article does not apply to screen time of a student acting pursuant to the student's Individualized Education Program, Section 504 plan, or Individualized Health Plan; screen time by a kindergarten student necessary to complete required diagnostic tests and assessments; or screen time by a student enrolled in classes offered as part of a virtual school or virtual program approved by a local board of education.

[Act 2026-169 references: §26-24-62\(c\)](#)

11. What standards must be developed?

The ADECE, in collaboration with the DHR and the ALSDE, must develop evidence-based screen time standards that include age-appropriate limits, guidelines for high-quality programming, and best practices. In evaluating high-quality programming, the agencies must consider the target audience and age appropriateness, pacing with a preference for slow-paced programming, whether the programming is free of violence, and whether it is free of advertising the ADECE determines is harmful to children.

[Act 2026-169 references: §26-24-63](#)

12. What professional development is required?

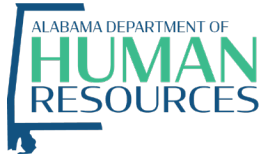
The agencies must develop training on the screen time standards and alternatives to screen time. The training may be tailored to each type of early childhood education program. Each teacher and staff member who closely supervises children must complete the training modules annually.

[Act 2026-169 references: §26-24-64](#)

13. Will programs need a screen time policy?

Yes. Prekindergarten programs operating under Article 2 shall implement and abide by the screen time policy established in the Alabama First Class Pre-K Guidelines (ADECE). Licensed child care facilities (DHR) must implement and abide by a compliant policy as a condition of licensing. Local boards of education (ALSDE) must adopt a kindergarten screen time policy no later than the 2027-2028 school year.

[Act 2026-169 references: §26-24-65\(b\); §§16-40-15 and 38-7-7.1](#)



14. How will compliance be monitored?

DHR will monitor licensed child care facilities, including review during inspections. The Secretary of the ADECE will monitor covered prekindergarten programs as deemed necessary. Public kindergarten compliance will be monitored by the local school principal.

[Act 2026-169 references: §26-24-65; §38-7-7.1](#)

15. What happens when a program or staff member is not in compliance?

For covered prekindergarten and licensed child care programs, the Act prioritizes additional training for relevant noncompliant staff. Continued noncompliance may lead to a corrective action plan. For kindergarten, the principal must first provide additional training; continued noncompliance is treated as a violation of the Alabama Educator Code of Ethics and may lead to disciplinary action, including corrective action, with approval from the local superintendent. *[Act 2026-169 references: §26-24-65\(b\); §§16-40-15 and 38-7-7.1](#)*

16. What guidance will be available to families and the public?

ADECE, in collaboration with DHR and ALSDE, must develop research-based guidelines for healthy screen time practices for children from birth through five years of age and publish the guidelines on its website at no cost to the public. The guidelines must emphasize play, reading, physical activity, caregiver-child interaction, risks of excessive screen time, and strategies for screen-time-free routines in the home.

[Act 2026-169 references: §26-24-61](#)

17. When does Act 2026-169 take effect?

The Act becomes effective January 1, 2027.

[Act 2026-169 references: Section 5; §16-40-15](#)

18. What should programs do now?

Programs are encouraged to become familiar with the requirements of Act 2026-169 by reviewing the legislation in its entirety, along with the accompanying Act 2026-169 Responsibilities of Programs, Frequently Asked Questions (FAQ), and Key Terms and Definitions documents. As you review these resources, begin considering how the requirements of Act 2026-169 may align with your current practices and identify any areas that may require updates. Programs should continue to watch for screen time standards, healthy screen time guidelines for families, professional development guidance, and supporting resources, which will be released prior to the Act's effective date of January 1, 2027.

[Act 2026-169 references: §§26-24-61 through 26-24-65; Sections 3-5](#)