

## **CENTER FOR POLICY & ACTION**

# SAFE ONLINE Kids, Social Media and Mental Health

The National Parents Union May 2024



### DEAR MEMBERS AND SUPPORTERS,

In an age dominated by digital connectivity, our children face unprecedented challenges to their mental well-being. As parents, guardians, and advocates, it is incumbent upon us to confront these issues head-on and ensure the safety and health of our youth in the online realm. With this imperative in mind, I am proud to introduce this policy paper, shedding light on the profound mental health impacts of social media on our kids.

The proliferation of social media platforms has undoubtedly revolutionized how we communicate, connect, and consume information. However, amidst the allure of likes, shares, and virtual validation, our children are increasingly vulnerable to a myriad of mental health stressors, from cyberbullying and comparison culture to the relentless pursuit of perfection.

This paper delves into the nuanced dynamics at play, drawing upon extensive research, expert insights, and real-life experiences. It highlights the alarming prevalence of anxiety, depression, and other mental health disorders among youth attributed to their online interactions. Moreover, it underscores the urgent need for comprehensive strategies to mitigate these detrimental effects and safeguard the psychological well-being of our children.

In this spirit, I am pleased to announce the National Parents Union's full support of the Kids Online Safety Act. This landmark legislation represents a crucial step forward in addressing the systemic shortcomings perpetuating the negative impacts of social media on our kids. By promoting transparency, accountability, and user protections, the Kids Online Safety Act empowers parents and guardians with the tools they need to navigate the digital landscape and advocate for their children's safety.

As we embark on this journey to advocate for the mental health of our youth, let us remain steadfast in our commitment to action. Let us amplify our voices, mobilize our communities, and hold policymakers and tech giants alike accountable for the well-being of our children. Together, we can cultivate a culture of digital responsibility and resilience, ensuring our kids thrive online and in all aspects of their lives.

I extend my gratitude to the countless parents, educators, advocates, young people, and policymakers who have lent their voices to this critical conversation. Your dedication and passion inspire us to continue the fight for a safer, healthier digital future for our children.

With unwavering resolve,

Keri Rodrigues

Keri Rodrigues President, National Parents Union

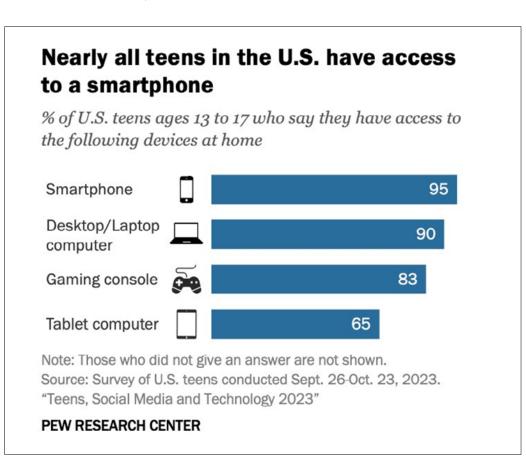
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### THE PERVASIVE USE OF CELL PHONES AND SOCIAL MEDIA AMONG YOUNG PEOPLE.

The smartphone era in America began in 2002, with the introduction of phone service for BlackBerry PDAs. The adoption of the technology by mobile phone users was slow, and by 2006 only 715,000 smartphones had been sold, representing just 6% of U.S. mobile phone sales. That all changed in 2007 when Apple Inc. introduced the first iPhone worldwide.<sup>1</sup>

Despite a lofty (at the time) price of \$399, more than 1.2 million units were sold in the first full quarter of availability. By 2012, 50% of mobile phones were smartphones, representing two-thirds of all U.S. mobile phone sales. It took landline telephones almost 45 years to get from 5% to 50% penetration among U.S. households. By comparison, it only took seven years for mobile phones to reach a similar proportion of consumers. The only technology that saw more rapid mainstream popularity growth was the television.<sup>2</sup>

A <u>2023 survey</u> conducted by the Pew Research Center, found that 95% of U.S. teens ages 13 to 17 have access to a smartphone.<sup>3</sup>



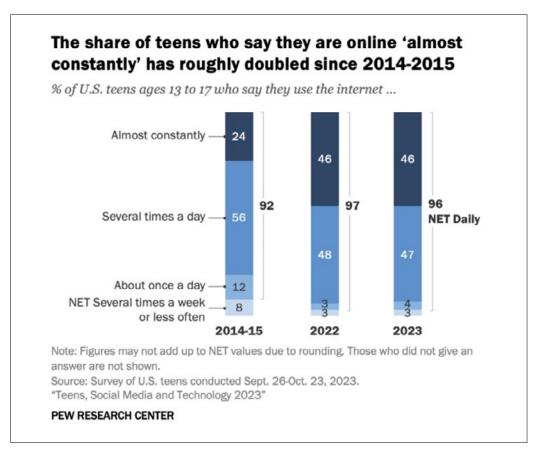
Current generations are growing up in an increasingly digital environment: Gen Z youth are the first to live in a constantly connected world, and Gen Alpha will never know a time when social media did not exist. Gen Alpha is far more tech-savvy than any generation previously, even though the oldest members are only in their early teenage years.<sup>4</sup> With the continued growth of smartphone usage and the confidence with which adolescents navigate technology, it is understandable adults from previous generations – parents, caregivers, educators, and policymakers – are experiencing escalating concerns over the impact of screen time on the mental health and well-being of young people.

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The COVID-19 pandemic and remote learning contributed to young people being home more often, and spending hours per day in virtual classes. Many teens relied heavily on social media platforms to stay connected with friends, learn new hobbies, and to keep themselves entertained.<sup>5</sup>

Despite the return to in-person learning and growing concerns of adults, teens in the United States continue to use social media platforms at high rates, according to the aforementioned survey from the Pew Research Center. When compared to a previous study, the percentage of surveyed teens who say they are online 'almost constantly' has almost doubled from 24% in 2015 to 46% in 2023.<sup>6</sup>



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### Concerns regarding the impact of social media on youth mental health

Adolescents are not simply young adults, and to treat them as such only serves as a disservice to their unique needs. Today's youth are diverse in culture, nationality, wealth, education, family structures, geographical location, and in many other ways that have a great impact on their health and well-being. Despite the differences, however, all adolescents share key experiences during a formative phase of human development that is characterized by rapid physical growth, cognitive, intellectual, moral, social, emotional and sexual development, and ever-changing relationships with friends and families.<sup>7</sup>

In addition to the physical changes that adolescents experience, between the ages of 10 to 19, their identities are forming and a sense of self-worth is developing. This is a period when mental health challenges such as depression can also start to emerge.<sup>8</sup> In 2019, approximately one in five students seriously considered suicide, and between 2009 and 2019, there was an increase in the number of students who made a suicide plan.<sup>9</sup>

It is inarguable that increased access to technological platforms has improved our daily lives by providing new ways for people to build social communities, share resources and access information. However, these same platforms can also have negative effects on users by pitting people against each other, and reinforcing bullying and exclusionary conduct.<sup>10</sup> For young people seeking safe and supportive online environments, experiencing cruel and often ruthless behaviors can have long-lasting, detrimental consequences.

#### Concerns regarding the impact of social media on youth mental health

Social media is relatively new – Facebook has been around for twenty years, and X (formally known as Twitter) for eighteen, while Instagram, Snapchat and Tiktok are even newer. Social media can be a powerful information tool, but misuse or overuse can take a toll on the still maturing brains of adolescents. For teenagers who have grown up in a world with near limitless access to information and entertainment, it can be difficult to know how to set healthy boundaries or when to step away from their screens.

Given that screens are ubiquitous and avoiding them entirely is near impossible, it is not surprising that there is growing curiosity and concern over the impact of screen time and social media on adolescent well-being. More teens are reporting that they have faced mental health challenges, and the Center for Disease Control and Prevention (CDC) reported in 2019 that one in three U.S. high school students reported feeling so sad or hopeless that they could not take part in their normal activities – a 40% increase from 2009.<sup>11</sup>

While there are many positives to using social media – such as exposure to current events, building interpersonal connections, and growing social support networks<sup>12</sup> – a growing number of research studies have found that there is a correlation between social media use and an increase in reported mental health struggles:

- The National 4-H Council surveyed 1,500 teens ages 13-18, <u>finding</u> that they spent 75% of their waking hours on screens during the COVID-19 pandemic, and that 7 in 10 teens experienced mental health struggles. Additionally, the study found 41% of teens admitted using social media made them anxious or depressed.<sup>13</sup>
- A <u>study</u> conducted by the Yale Department of Psychiatry and Columbia School of Nursing analyzed the screen time of more than 5,000 adolescents who participated in the Adolescent Brain Cognitive Development (ABCD) Study. Their findings found youth who spent the most time on smartphones and social media were more likely to exhibit higher levels of depression, anxiety, and social anxiety, amongst other complaints.<sup>14</sup>
- In 2021, the CDC <u>found</u> 16% of high school students were bullied electronically that is, through text, Instagram, Facebook, or other social media – and that female students were more likely than males to experience this.<sup>15</sup>
- A <u>survey</u> released by Common Sense Media showed children ages 8-18 spent more time on social media platforms outside of school, and screen time has increased by 17% since the start of the pandemic.<sup>16</sup>

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## **IMPACTS ON ANXIETY, DEPRESSION, AND SELF-ESTEEM.**

According to social psychologist, Jonathan Haidt, the rates of anxiety and depression in the United States rose by more than 50% in many studies conducted between 2010 and 2019, after being fairly stable in the early 2000s. The suicide rate among adolescents between ages 10 and 19 rose 48%, and amongst girls ages 10 to 14 the suicide rate rose an alarming 131%.<sup>17</sup>

This problem isn't confined to the U.S. and similar trends have been seen in studies from around the world. By and large, and across the board, the members of Generation Z – those born between 1997 and 2012 – are suffering from anxiety and depression related disorders at higher levels than any previously studied generation.<sup>18</sup>

In part, these statistics can be attributed to Gen Z's willingness to openly discuss mental health. While previous generations took the early steps to increase awareness and destigmatize mental health challenges, Gen Z is more aware of and more accepting of mental health challenges. Because of this, Gen Z has normalized dealing with issues so they can move past them.<sup>19</sup> According to a study conducted by the American Psychological Association, Gen Z is much more likely to report their mental health as fair or poor, with 27% saying this is the case.<sup>20</sup>

Gen Z is the first generation to be completely raised with the internet and smartphones and, as a result, they are the first generation to be exposed to potentially harmful social media content from a very young age. Thirty-eight percent of Gen Z – nearly two in five – report feeling bad about themselves as a result of social media use, and 45% say that social media makes them feel judged.<sup>21</sup>

Young People's Alliance Director of Advocacy, Ms. Ava Smithing, recently testified in front of the Subcommittee on Innovation, Data, and Commerce, at the "Legislative Solutions to Protect Kids Online and Ensure Americans' Data Privacy Rights" hearing. In her testimony, Ms. Smithing shared her story of being targeted by algorithms that datamined her deepest insecurities, and the psychological and physical toll it took, leading to an eating disorder.<sup>22</sup>

Researchers at the University of Pennsylvania conducted an experimental study to investigate the role social media plays in emotional well-being. During the study, one group of participants was limited to thirty minutes of daily social media use over a three-week period. The restricted participants reported lower severity of depression and loneliness than they had at the beginning of the study, as well as decreased anxiety.<sup>23</sup> Additional research suggests that limiting time on social media will lessen feelings of fear of missing out by keeping adolescents and young adults from seeing content that may lead to decreased feelings of self-worth and increased feelings of jealousy. When users limit their exposure to social media, they can find that less time is spent comparing their lives to others, leading to a decrease in the negative thoughts that can lead to developing symptoms that contribute to depression.<sup>24</sup>

It's not just online comparison culture that can impact emotional well-being. The public used to get their news from nightly broadcasts and daily newspapers. In 2018, one in five Americans got their news from social media – a larger proportion than those who get their news from traditional sources.<sup>25</sup> For heavy social media users - people who log on for multiple hours at a time, or multiple time per day - this can mean near constant exposure to news, including bad news such as natural disasters, terrorist attacks, political strife and celebrity deaths. The habit of binging bad news on social media or other online platforms is known as "doom scrolling," and it can lead to increased anxiety or depression symptoms.<sup>26</sup> Doom scrolling trains the mind to look for threats, and the more time spent online, the more dangers are found and the more anxious people become. It is only a matter of time before doom scrollers feel increasingly hopeless.<sup>27</sup>

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# THE ROLE OF CYBERBULLYING AND SOCIAL COMPARISON IS CONTRIBUTING TO MENTAL HEALTH CHALLENGES.

The effects of traditional forms of bullying (verbal, physical) on mental health have been widely studied. With social media use more prevalent in the lives of teenagers, there has been a corresponding rise in cyberbullying, characterized by hurtful comments, trolling, derogatory messages, and the sharing of private or identifying information without consent.<sup>28</sup>

With traditional bullying, the aggression happens in person, in a specific location (i.e. school); cyberbullying can occur at any time, in any place. Even in the confines of their home – which should be a safe place – victims can be reached by online bullying.

Approximately 36% of adolescents have reported being victims of cyberbullying.<sup>29</sup> Social media users find confidence in the anonymity provided by virtual venues, and they may find themselves bolstered by support from a potentially unlimited audience. This can lead to engaging in behaviors they would otherwise avoid in a face-to-face interaction. Online, the lack of non-verbal social cues – such as eye contact, gestures, and facial expressions that are essential for regulating social exchanges – increase the likelihood of misunderstanding, offenses, and miscommunication. What may be intended as a joking or friendly comment can be misinterpreted as an insult or threat without these non-verbal cues.<sup>30</sup> When cyberbullies do not see the faces of their targets, they may become disinhibited, and may not fully grasp the consequences of their actions, decreasing their feeling of personal accountability.<sup>31</sup>

Compared to traditional bullying, cyberbullying has a greater reach, with potentially unlimited audiences, permanent records of words and images, and a distinct lack of supervision.

Social media platforms are part of adolescent lives, and they are integral in shaping the way teenagers view themselves, their relationships, and their mental health. Cyberbullying has profound effects on the psychological well-being of the victims, who often experience heightened levels of stress, anxiety, and depression as they face onslaughts of hurtful messages and online attacks. This emotional distress can impact physical well-being, including altered sleep patterns and appetite loss.<sup>32</sup>

A study conducted by <u>Pew Research Center</u> found that 38% of teens feel overwhelmed by social media drama, Thirty-one percent feel like they are being excluded by friends, and 29% feel pressure to post content that will get a lot of comments or likes. Additionally, roughly 23% of teens say what they see on social media makes them feel worse about their own life.<sup>33</sup> Additionally, social media-induced fear of missing out. or the worry that others are having rewarding experiences from which one is excluded, has been associated with depression, anxiety, and neuroticism.<sup>34</sup>

Social comparison – that is, how we view our lives in relation to other social media users – creates a conflict between the self that is presented and the real self. This disconnect can lead to worsening mental health, such as increased depression and social anxiety. According to the U.S. Surgeon General, multiple studies have shown that there is a significant relationship between social media use and body image issues and disordered eating, with social comparison listed as a contributing factor.<sup>35</sup> In 2022, <u>46% of teens</u> age 13-17 said social media makes them feel worse about their body image.<sup>36</sup>

Looking at accounts and profiles of attractive people can increase negative feelings. Followers of "fitspiration" accounts on Instagram – accounts that post diet and exercise tips, and other information on how to be thin – can lead to poor body image. In 2021, leaked documents from internal Instagram research revealed that Instagram found the app to be harmful to the body image of both boys and girls. Roughly one in three girls felt worse about their bodies due to using the app, as did 14% of boys.<sup>37</sup>

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NATIONAL POLLING RELATED TO PARENTAL CONCERNS ABOUT YOUTH CELL PHONE AND SOCIAL MEDIA USE.

In a recent National Parents Union poll, we set out to understand K-12 parents' views on current topics related to public education. With the help of Echelon Insights, this survey was fielded online from February 6-8, 2024 in English among a sample of 1,506 parents of public school students in grades kindergarten through 12th grade nationwide using non-probability sampling.

The sample was weighted to population benchmarks for parents of public school students derived from the American Community Survey - Education Tabulation on gender, age, race/ ethnicity, education, and region, as well as on the following interactions derived from American Community Survey data on parents of school-age children: gender by education (college / non-college) and race (white / non-white) by education (college / non-college). The sample was also weighted on gender among those identified as registered voters to reflect benchmark data on voter registration among parents of school-age children from the US Census Bureau's November 2022 Current Population Survey Voting and Registration Supplement.

Calculated as it would be for a random sample and adjusted to incorporate the effect of weighting, the margin of sampling error is  $\pm$  2.9 percentage points.

The survey found that the majority of parents (56%) want their children to have access to their cell phones during the school day, with reasonable limits on when the devices can be used like lunch or recess, at athletic events and in class for academic purposes approved by their teacher. The majority of parents do not want schools to lock up students' phones and see the value in connectivity for issues such as getting in touch in case of an emergency and to coordinate transportation to and from school.

Parents are, however, concerned about the negative effects that social media is having on children and their mental health, and more than eight-in-ten (83%) parents support a minimum age limit for social media.

Asked about cell phone use among children both in and out of school, parents say they are worried about the following negative effects on their kids:

- Expose them to inappropriate content 63%
- Expose them to predators 60%
- Expose them to cyberbullying 57%
- Interfere with their learning 49%
- Negatively affect their mental health 44%
- Negatively affect their social skills 42%
- Lead to bad behavior 41%

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# STATES' INITIATIVES AND POLICIES AIMED AT REGULATING OR MITIGATING YOUTH CELL PHONE AND SOCIAL MEDIA USE.

States, like **Florida**, are taking action to regulate youth usage of cell phones and social media platforms. Beginning in January 2025, children in Florida will be prohibited from joining social media if they are under the age of 14. Children ages 14 and 15 will be required to have parental permission, and social media companies will be required to use third-party age verification methods to confirm ages on new accounts.<sup>38</sup> How companies choose to do this will be up to them. Parents and caregivers will also be able to request account termination for minors under 14.<sup>39</sup>

Under House Bill 3 (HB 3), the state Department of Legal Affairs can fine violators up to \$50,000 per violation, and parents will also be able to file lawsuits against social media companies. This new law applies to any social media application where:

- At least 10% of active daily users are children younger than 16, who use the platform for two or more hours per day;
- "Addictive" features are used, such as infinite scrolling;
- Algorithms are used that analyze user data to handpick content for users.<sup>40</sup>

Technology industry analysts applaud the measure as reasonable, but caution that it is far from perfect. As a means to reduce social media usage and online bullying, the law will likely be beneficial. However, questions remain about how companies will effectively complete age verification when current policies have been easily circumvented by tech-savvy children.<sup>41</sup>

Social media has become part of a young person's social identity, and it often serves as the primary form of communication. Platforms like Instagram, TikTok, and Snapchat are spaces used for self-expression, identity exploration, and community building. Removing access to social media platforms from children who have grown up using it, could further isolate youth and inhibit social development, likely adding to the feelings of alienation many youth struggle with in this post-pandemic era.<sup>42</sup>

Similar bans have been passed in Arkansas, California, Ohio, and Utah, but federal judges have stopped the legislation from taking effect over concerns that the bans violate kids' free speech rights, and the argument that age verifications are unconstitutional. NetChoice – a trade association of online businesses that advocate free expression online – called the law "unconstitutional," and "bad policy" that will put Floridians' at risk for data breaches due to the requirement to collect private data.<sup>43</sup>

Anticipating legal challenges, Florida lawmakers put a contingency plan in place. Should a court prohibit the enforcement of the parental consent section, the law will automatically ban anyone under 16 from using social media.<sup>44</sup>

Florida is not the only state with a law or legislation intended to regulate when and how children access and use social media. As concern grows over youth internet usage, states nationwide are making pushes to protect children online, with age verification and parental permission requirements being a common theme. The National Parents Union

# STATES' INITIATIVES AND POLICIES AIMED AT REGULATING OR MITIGATING YOUTH CELL PHONE AND SOCIAL MEDIA USE.

In **Georgia**, Governor Brian Kemp signed the "Protecting Georgia's Children on Social Media Act of 2024" into law on April 23, 2024. This new law, which takes effect July 1, 2025, requires children younger than 16 to have explicit parental permission to create social media accounts, and any user whose age cannot be verified must be treated as a minor.<sup>45</sup> Under this law, social media usage on school devices and Wi-Fi networks is prohibited, schools are mandated to provide additional education on social media and internet safety, and porn sites will have to require government-issued photo IDs to verify that users are at least 18.<sup>46</sup>

**Indiana** recently passed a law requiring school districts to adopt policies banning students from having cell phones and other electronic devices during class time. Senate Bill 185 allows exemptions for educational purposes with a teacher's permission, permits use for emergencies or health care management, and allows electronic usage by students with disabilities or individualized education programs (IEPs). The law is intended to reduce classroom distractions, reduce cyberbullying, and encourage more in-person interaction.<sup>47</sup> Another bill that would have required social media platforms to verify age and obtain written consent from parents or guardians for minors failed to gain traction with lawmakers. Indiana State Senator Spencer Deery, the author of the bill, intends to continue the conversation and move legislation in their next session.<sup>48</sup>

In **South Carolina**, H. 4700, the South Carolina Media Regulation Act, would ban anyone under the age of 18 from having social media accounts unless they have parent or guardian consent. Under this bill, social media companies would be required to make "commercially reasonable efforts" to verify a user is at least 18, and would prohibit adults from messaging a South Carolina minor account holder unless they are already connected on the service. Additionally, the South Carolina Department of Education would be required to develop lessons for middle-and-high-school students on how social media can harm their mental health and how to maintain personal security.<sup>49</sup> The bill passed almost unanimously in the House, but the state Senate referred to the Committee on Labor, Commerce and Industry for further study.<sup>50</sup>

In April 2024, the "Protecting Minors from Social Media Act" was passed by the **Tennessee** General Assembly, and sent to Governor Bill Lee for signature. Set to take effect in January 2025, this bill will require minors to have parental permission to use social media. As with other states, Tennessee's law requires social media platforms to verify the age of anyone attempting to create a new account. Additionally, parents and guardians must be provided a way to supervise the minor's account, including viewing privacy settings, the ability to set daily time limits, and the option to implement breaks where the minor cannot access their account.<sup>51</sup>

**California** passed a media literacy bill in 2023 that was enacted in response to youth dependence on the internet and social media for news and information. In January 2024, California's Instructional Quality Commission was required to begin rolling out a framework for media literacy content to be incorporated into English language arts, math, science, history, and social science lessons. The instruction is intended to help students build critical thinking skills while learning how to be good digital citizens.<sup>52</sup>

Two bills that would address how social media companies treat children are currently before the **New York** State Senate. The New York Child Data Protection Act would prohibit web services from collecting, using, sharing or processing personal information for users younger than 18 without informed consent. It also would prevent the sale of minor user's data without a written agreement. The Stop Addictive Feeds Exploitation (SAFE) for Kids Act would prohibit social media companies from using algorithms to generate feeds for minor users that are meant to encourage users to stay online. The SAFE for Kids Act would also require social media platforms to disable access for minors between midnight and 6 a.m.<sup>53</sup>

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# STATES' INITIATIVES AND POLICIES AIMED AT REGULATING OR MITIGATING YOUTH CELL PHONE AND SOCIAL MEDIA USE.

Not every state is ready to pass laws, however.

In December 2023, Governor Glenn Youngkin of **Virginia**, urged the commonwealth's lawmakers to send him legislation that will give parents the ability to protect their children and prohibit tech companies from sharing minors' data. In January 2024, two measures failed - one that would have placed restrictions on account creation for minors, and one that would have banned social media platforms from using features intended to entice users to stay online, such as push notifications and auto-playing videos. Both bills were tabled by the House Communications subcommittee after lawmakers indicated they had concerns that the language was too broad.<sup>54</sup> A more recent proposal intended to prohibit social media companies from using "addictive" feeds that encourage infinite scrolling passed the Virginia Senate unanimously, but the House Communications subcommittee voted to send it to the legislature's Joint Commission on Technology and Science for more study.<sup>55</sup>

### **Evaluating the effectiveness and challenges of these state actions.**

States continue to put forth legislation intending to regulate social media use by minors, even as other states have seen their laws challenged in the Federal Courts. Special interest groups focused on digital rights and the First Amendment have been filing lawsuits seeking to halt the implementation of laws on the basis that they violate free speech and privacy laws. NetChoice – a tech industry group with members including Google, Meta and TikTok – has been a vocal opponent of these laws, and has successfully challenged laws in several states.<sup>56</sup>

In **Ohio**, a federal judge blocked a law that would have required parental consent for children under 16, stating aspects of the law were vague and a social media platform may question whether or not the law applies to them. The judge also indicated the law was likely to fail strict scrutiny, which requires that a law be written for an identifiable public interest issue, and tailored specifically to pass constitutional analysis.<sup>57</sup>

In **Arkansas**, an act that would have required social media companies to verify the ages of users and check for parental consent before children can create accounts was halted at the request of a suit filed by NetChoice. The district judge granted a preliminary injunction blocking the implementation, reasoning that age-related limitations don't appear to be an effective approach to protecting minors when the state's concern is with the content on the platform. And, in **California**, NetChoice sued the state, alleging that it violated the First Amendment. The judge blocked the law on the grounds it would not pass strict scrutiny because social media sites would not be allowed to exercise First Amendment right to choose what posts to allow or prohibit. The state's Attorney General has filed an appeal.<sup>58</sup>

While they have been the most vocal, it is not just the tech industry challenging these laws. LGBTQ organizations, in particular, fear these bans will cause more harm than good, keeping youth from finding much needed support and resources. In Florida, where the LGBTQ community has been the target of a multitude of legislative acts in recent years, the social media ban could take away access to life-saving online resources for youth.<sup>59</sup> According to <u>research</u> conducted by the Trevor Project, LGBTQ youth who reported feeling safe and understood in at least one online space had 20% lower odds of attempting suicide.<sup>60</sup> Special interest groups focused on digital rights and the First Amendment have been filing lawsuits seeking to halt the implementation of laws on the basis that they violate free speech and privacy laws.<sup>61</sup> Opponents have suggested that creating legislation around media literacy and digital safety education may be more effective at protecting minors than age restrictions.<sup>62</sup> The National Parents Union



### California's alternative approach through media literacy

Before children can be taught how to safely interact online, they must have access to digital technology. Is restricting access to online media environments with bans, or providing parents with the ability to heavily monitor accounts, the most effective way to protect children?

In recognition of the increasing reach of media in our lives, California passed their media literacy law – Bill No. 873 – mandating media literacy education for all K-12 students. The law took effect in January 2024, with instruction to be woven into the frameworks inmathematics, science, history, and social science curricula. The goal is to help students develop skills in identifying false information,<sup>63</sup> and to think critically about what they are reading online. By requiring instruction that specifically addresses social media use and identifying misinformation, this new law goes further than a 2018 bill which passed optional guidelines that were focused more on teaching online privacy and safety, and conducting online research.<sup>64</sup>



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### **PROPOSED FEDERAL ACTIONS TO SAFEGUARD YOUTH.**

Federally, we are also seeing legislative proposals to help regulate youth access to social media, messaging, and multiplayer video game platforms. Initially introduced in 2022, the Kids Online Safety Act (KOSA) is a bipartisan Senate bill intended to boost online protections for children and teenagers. Recently revised, KOSA would require online platforms to default to the strictest privacy settings for minors, and provide them with options to protect their information. Technology companies would be required to use reasonable care to prevent their products from endangering kids, and the safeguards would have to extend to their use of design features that could exacerbate mental health issues, cyberbullying, and sexual exploitation. Parents would also be given new controls to help protect their children and spot harmful behaviors, and would provide parents and educators a dedicated channel to report harmful behavior. More than 60 senators have backed the revised legislation, setting the stage for the first significant push to regulate tech companies in decades.<sup>65</sup>

In April 2024, the US House of Representatives introduced a bipartisan companion bill to KOSA – H.R. 7891 – that generally mirrors the Senate version, but offers one major change. The Senate's version includes a broad duty of care to protect youth from specific risks, such as cyberbullying and sexual exploitation. The House bill limits this requirement to "high impact" social media, messaging, and multiplayer video game platforms. Under the House legislation, how much of a duty of care a technology company would be required to provide would be based on annual revenue.<sup>66</sup>

In March 2024, the House of Representatives introduced the Verifying Kids' Online Privacy Act, which also proposes amendments to the Children's Online Privacy Protection Act of 1998 – H. R. 7534. The proposed changes include redefining the age of a child from "13" to "16" and requiring web operators to verify the ages of individuals who access their services. These operators are also prohibited from storing, selling, or transferring information collected for age verification beyond 30 days after an associated account is closed or terminated. Another important aspect of this bill is the establishment of the Children's Online Safety Fund, financed through civil penalty amounts obtained under the Act. The fund will be available to the Secretary of Education to award grant programs for local educational agencies to educate children about online safety and digital literacy, with a focus on mental health and appropriate use of social media.

The National Parents Union supports the Kids Online Safety Act and the House Companion bill,- H. R. 7891 as well as the Verifying Kids' Online Privacy Act. We believe that it is Congress' responsibility to ensure that kids have a positive experience connecting and learning online.

In May 2023, the U.S. Surgeon General issued an advisory calling attention to the impact of social media on youth mental health as a public health issue. In the statement, it was acknowledged that there is not enough evidence to say that social media is safe for children and adolescents, but the current body of research indicates that social media has a lasting impact on their mental health and well-being. In his advisory, the Surgeon General suggested that policy makers work with state and local governments, academic organizations, public health experts, and technology companies to strengthen online protection of children interacting with social media platforms. Including:

- Developing age-appropriate health and safety standards for platforms, including limiting access to harmful content, and minimizing exposure to engagement tools meant to entice users to stay online.
- Requiring a higher standard of data privacy for children to protect them from potential harms like exploitation and abuse.
- Strengthen and enforce age minimums.
- Requiring technology companies to conduct and share research about the health impact of their platforms.
- Supporting the development and implementation of digital and media literacy curricula in schools.<sup>67</sup>

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### CONCLUSION

The imperative to protect our children's mental health in the digital age has never been more pressing. The evidence presented in this policy paper underscores the urgent need for comprehensive action to address the detrimental impacts of social media on our kids' well-being. As parents, guardians, educators, and policymakers, we have a moral obligation to ensure our children can navigate the online world safely and confidently.

We urge Congress to prioritize the passage of the Kids Online Safety Act. This legislation represents a pivotal opportunity to enact meaningful reforms that will safeguard our children's digital experiences, promote transparency and accountability among tech companies, and empower parents with the tools they need to protect their children online.

# BY PASSING THE KIDS ONLINE SAFETY ACT, CONGRESS CAN SEND A CLEAR MESSAGE THAT THE WELL-BEING OF OUR CHILDREN IS A TOP PRIORITY ACROSS PARTY LINES.

By passing the Kids Online Safety Act, Congress can send a clear message that the well-being of our children is a top priority across party lines. Together, elected leaders can champion this critical legislation and uphold a shared commitment to the health, safety, and future of our nation's youth.

The time for action is now. Let us seize this opportunity to protect our kids online and ensure that they can thrive in the digital age and beyond.

The National Parents Union

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