Testimony of

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"Cyberbullying and other Online Safety Issues for Children"

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Mr. Chairman and members of the Subcommittee, thank you for inviting me here today to speak on the important issue of online child safety.

Web Wise Kids is a national non-profit organization dedicated to preventing online child victimization by providing innovative educational tools to educators, parents and children with the aim of helping youth stay safe online. Since 2000, more than 7 million youth and more than one million parents nationwide have been educated by Web Wise Kids' programs on the importance of using the Internet safely and responsibly. We are working successfully with and through state departments of education, regional and local school districts, law enforcement, industry and community-based organizations. Our unique interactive games educate children about Internet safety issues including cyber-bullying, Internet predators, cyber-ethics, safe cell phone use and cyber crime. The games are based on learning theory to maximize retention. They are well evaluated and challenging for the kids. Accompanying resource materials promote meaningful discussions and students have the opportunity to develop their own Internet safety plans.

We applaud increased Congressional awareness of online child safety. Increasing on-line safety for children requires a comprehensive solution involving diverse stakeholders including youth, parents, law enforcement, educators, mental health professionals, industry and community-based organizations.

Web Wise Kids strongly believes that Internet safety education, coupled with technology tools, is the most effective way to resolve and mitigate problems and dangers relating to misuse of the Internet and other new media. It is vital that we equip individuals and communities with up-to-date information and tools needed to safely, securely, ethically and effectively use the Internet and a variety of other technologies, especially as it relates to the impact of these technologies on our youth.

Use of Internet by Kids Nearly Universal
Use of the Internet by kids is nearly universal. In the United States, more than 35 million children in kindergarten through grade twelve have Internet access. And, each year, children are starting to use the Internet at a younger age.

Today, some 93% of youth ages 12-17 are online and 94% of their parents are online. Nearly 45% of children ages 3 to 11 are projected to use the Internet on a monthly basis this year. 80% of teens 13-17 use cell phones with most mobile devices having built-in cameras. By 2020, the mobile device will be the primary connection to the Internet for most of the world's population, including youth. Use of social media via facebook, twitter, MySpace and other sites is robust among youth: nearly 90% of teens 13-19 have a profile on social media sites. We believe surveys will continue to find greater numbers of children using the Internet at earlier ages.

The Internet is Here to Stay
The Internet is a powerful and growing medium. There are more than 1 billion Internet users worldwide. The Internet provides instant access to research and boundless information and establishes digital connections between individuals around the world. The Internet is an invaluable tool critical to America's ability to compete in a global economy. While the transformation to the digital economy presents a tremendous opportunity for innovation, it also poses great challenges to keeping children safe in a cyber world. There are harmful and significant risks to youth when the Internet is misused.

American Youth are at Risk Online
This dramatic rise in children's use of the Internet has led to an increase in risky behaviors such as cyber-bullying and 'sexting.' Research indicates that youth are at risk online:

- 43% of teens were victims of cyber-bullying in 2008;
- Youth who create Internet content and use social networking sites are more likely to be targets of harmful contact;

- 33% of youth between the ages of 11-16 report exposure to specific type of violent crime on the Internet at least once in the past year;
- 33% of teenagers have been approached online by a stranger;
- 40% of teens said their parents have no idea of their online activities;
- 48% of kindergarten and first graders report viewing online content that made them feel uncomfortable and one-in-four did not report the incident to an adult;
- 21% of 10th-12th graders admit to using a computer or an electronic device to cheat on a school assignment;
- 65% of 10th-12th graders admit to illegally downloading music; and
- 64% of online teens (ages 12-17) stated that they do things online that they don't want their parents to know about, and 79% stated that they aren't careful enough when giving out information about themselves online.

Legislation-Education is Key

For nearly two years, Web Wise Kids has been calling on Congress to pass legislation to substantially increase funding to meet the growing need for Internet safety programs and resources.

New investments in our educational infrastructure are needed for programs and training to equip educators and law enforcement with the tools needed to teach children to safely, securely and ethically use the Internet and a variety of technologies. This investment is critical to providing 21st century tools to educators and law enforcement to prevent online child victimization for millions of children growing up on-line.

We know that children are integrating technology into their lives at lightning speed. While this is a positive trend to prepare a 21st century workforce, state and federal funding is inadequate to meet the growing need and requirements for Internet safety programs. Currently, students receive little education on safe and ethical Internet use. State and local agencies place the majority of responsibility of teaching Internet safety on educators who are unprepared to provide this education.

Federal law now mandates that all schools receiving E-rate funding must have an Internet safety education program but are provided no funding to meet this federal requirement. Specifically, the mandatory Internet safety education must include lessons on cyber bullying awareness and response as well as teaching appropriate online behaviors for students on social networking sites and in chat rooms. Most educators have received little or no professional development on Internet safety. More hands-on training opportunities for educators and increased and on-going education and

awareness opportunities for youth throughout the K-12 experience would provide needed investment to help close the gap between danger and knowledge.

Clearly, parents should play a significant role. Just last week, Web Wise Kids participated in a series of meetings and public forums with industry leaders and the Obama Administration where the issue of raising awareness of Internet safety education with parents was identified as a significant need. There are three major challenges in reaching out to parents. First, parents are simply very busy with work and other priorities. Second, children tend to be more advanced users of technology than parents, making it difficult for the parent to have effective conversations about Internet safety. Third, ensuring outreach and awareness efforts actually reach parents with the most effective messages. We know that most parents are connected to their child's school so providing targeted resources to the school system would provide an excellent opportunity effectively reach parents.

Web Wise Kids strongly supports swift enactment of H.R. 3630, the Adolescent Web Awareness Requires Education Act of 2009 (AWARE Act) and its Senate companion sponsored by Senator Menendez, S. 1047. This carefully crafted, bipartisan legislation will provide much needed funding to support collaborative, comprehensive and diversified approaches to online safety education in our schools. The AWARE Act would provide critical resources to America's educational infrastructure to train educators in online risk prevention and empower students and parents with hands-on opportunities to use technology safely for generations to come.

The centerpiece of the legislation is the establishment of a competitive Internet safety education grant program for state and local education agencies and non-profit organizations to promote the safe use of digital technologies. In the ever-changing market of technology and innovation, making this grant program competitive and in partnership with organizations that have expertise in Internet safety is a built-in safeguard against ineffective and outdated approaches.

While not overly-prescriptive, the AWARE Act identifies clear uses of the funding which will go a long way to protect children and families online. The use of funds addresses key areas to improve Internet safety where there is a substantial shortage of resources including:

- developing and implementing Internet safety education programs, including educational technology, multimedia and interactive applications, online resources and lesson plans;
- providing professional training to school teachers and professional staff;

- developing online risk prevention programs for children;
- training and supporting peer-driven Internet safety education initiatives;
- coordinating and funding research initiatives that investigate online risks to children and Internet safety education;
- developing and implementing public education campaigns to promote awareness of online risks to children; and
- educating parents and their children on how to use the Internet safely, responsibly, and ethically and helping parents identify and protect their children from risks relating to use of the Internet.

We also are very pleased that the legislation contains additional safeguards to assure effective implementation of the funds. This bill includes both front-end and ongoing research and evaluation. This research also will include the nature and prevalence of current Internet safety education programs and any evidence-based research conducted on them already. The research will also include findings regarding at-risk children. Research is vital to make sure that the programs identify the serious risks in youth online safety.

While administered by the Department of Justice, Web Wise Kids strongly urges the concurrence of the Departments of Education and Health and Human Services in implementing the legislation. This focused inter-agency cooperation is good public policy and consistent with our long-held view that better understanding the concerns related to youth risk online requires collaboration and sharing insight and information with each other - an essential factor in this fast-changing environment.

As mentioned earlier in our testimony, technology tools also play a very important role in addressing dangers resulting from the misuse of the Internet. Nearly every week, our organization is approached by industry seeking to promote new technologies to help parents and educators deal with unwanted online content or communications.

In his recent testimony before the Federal Communications Commission (FCC)[1], Adam Thierer of The Progress & Freedom Foundation cites research indicating that a majority of parents rely on many alternative methods of controlling online content and Internet use in the home including household media rules. Additionally, Thierer references the staggering diversity of parental control technologies that are available today including filters (network-based and stand-alone); monitoring tools; operating system-level controls; browser tools; walled gardens and child-friendly portals; safe search controls;

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[1] September 9, 2009 testimony of Adam D. Thierer, Senior Fellow and Director of the Center for Digital Media Freedom, The Progress & Freedom Foundation, before the Federal Communications Commission

social media safety settings and others. It is for this reason that we are pleased H.R. 3630 and S.1047 are technology neutral – a principle we believe should apply to any legislation dealing with on-line safety.

We have had the opportunity to review legislation, H.R. 1966, sponsored by Congresswoman Linda Sanchez. First, like all Americans, we were heartbroken we when we learned the awful news that Megan Meier had taken her own life. Notwithstanding the subsequent legal decisions, we also were very angry and believe that the actions of Lori Drew were reprehensible.

We applaud the work of Congresswoman Sanchez in raising awareness of cyber bullying as a significant problem for children and schools in the United States. Cyber-bullying, like off-line bullying, can cause substantial harm to our youth, including serious and long-term emotional and behavioral problems. But unlike traditional forms of bullying, cyber-bullying can be more pernicious: hurtful or embarrassing messages can be sent at any time from any place using social media, mobile text messaging, email and other web sites. They can be sent anonymously and distributed more rapidly to wider audiences. For the victim of cyber-bullying, there can be literally nowhere to run - places previously considered safe and private are safe no longer.

Speech that involves harm to others is wrong. Unfortunately, kids throughout history have used hurtful speech against each other. Bullying can cause loneliness, depression, anxiety and low-self esteem. Prevention of cyber bullying and educating kids on how to respond to online harassment is paramount in our view. We are pleased this issue is addressed in both the grant program and research elements in H.R. 3630 and S. 1047.

Nevertheless, the use of additional punitive sanctions requires a careful examination. Web Wise Kids may consider supporting punitive legislation that has targeted criminal sanctions against egregious forms of harassment. One challenge is that many actions that would fall under the definition of cyber bullying are not criminal. Legislation should not criminalize all bullying. It is also important to separate actions of kids versus actions of adults. Any legislation considered must be careful to avoid criminalizing youth-to-youth communications. Moreover, as we have seen with other laws struck down by the courts, legislation imposing punitive sanctions for bullying must be able to withstand constitutional scrutiny. In January of this year, after a ten-year battle, the U.S. Supreme Court rejected the government's latest request to revive the Child Online Protection Act (COPA). The law was struck down as an unconstitutional violation of the First Amendment by lower courts and never went into effect.

Conclusion

Web Wise Kids supports a comprehensive approach to keeping our children safe online. While youth must understand there are serious consequences to their actions, we must avoid the impulse to use scare tactics and enact legislation based on sensational incidents receiving the most media coverage. Congress can have an immediate and effective impact by providing greater resources to promote Internet safety education in our schools and prevent harm from occurring in the first place.

Education builds lessons for a lifetime. Many educators are not immersed in the new digital reality of students. To keep kids safe online, we have an opportunity to enhance the skills of educators, transform the traditional role of classroom teaching and provide students with hands-on opportunities to use technology safely and ethically for generations to come.

Thank you very much.