

Table of Contents

| | |
|--|----|
| Introduction..... | 3 |
| A. Information Superhighway: Economic benefits of STEM & importance of educating/training children to engage with STEM | 4 |
| B. Privacy..... | 8 |
| C. Cyberbullying..... | 12 |
| D. Sexting | 15 |
| E. Cyber Safety | 16 |
| F. Additional Comments (media sexualisation, pornography, child pornography & luring)..... | 17 |
| Conclusion | 20 |
| Appendix – Summary of Findings..... | 21 |

Introduction

The increase of Internet use in the lives of children has justified United States legislators implementing new laws regarding youth and technology. With regard to girls specifically, the most prominent topic is the female presence in the fields of science, technology, engineering and math (STEM). Perhaps this is in response to the decrease of available work and the pressure being put on the government to develop new jobs within the United States. Whatever the underlying objective may be, developing female STEM workers is viewed as a key for the United States to stay economically competitive.

The recent media campaigns regarding the epidemic of cyberbullying and sexting have also led to increased legislative action. The problem of cyberbullying was first briefly discussed in a Federal bill, Protecting Our Children Online Act, in 2008.¹ Yet, from 2010 the discussion took off, becoming a primary topic at Committee hearings, and of various bills throughout the United States. Girls are both discussed as the primary targets and as perpetrators of cyberbullying.

Education about cyber safety is another popular policy issue used to address the ultimate dangers of the Internet. The discussion began in 2009 in the House of Representatives and the Senate with three proposed bills: SAFE Internet Act, Student Internet Safety Act and Adolescent Web Awareness Requires Education Act. Since then, states such as New York and Florida have followed suit by proposing bills that will place more responsibility on parents and community members to ensure the safety of vulnerable youth.

The following memo will address these highly discussed policy problems and highlight the discussion of girls within them. Less discussed policy issues include media sexualisation of women, luring, and child pornography. These issues seem to have been trumped by the more popular issues such as cyberbullying and STEM engagement, as these issues relate to current American issues.

¹ US, Bill HR 6145, *Protecting Our Children Online Act of 2008*, 110th Cong, 2008.

A. Information Superhighway: Economic benefits of STEM & importance of educating/training children to engage with STEM

We need to make sure that we have the scientific and technical workforce that we need if we are to remain a leader in a global economy, and it is not possible to do this without developing and encouraging all the talent in our nation. We must have women engineers, computer scientists, and physicists. By broadening the STEM [science, technology, engineering and math] pipeline to include more women and other unrepresented groups, we can strengthen our workforce.²

The discussion of girls within the field of science and technology is predominant in the United States, as they are presented as the key for America to stay competitive. Many bills have been proposed in Congress since 2011, aimed at raising the numbers of female students in science and engineering through grants and funded programs. Such bills include: E2 for Innovation Act,³ Computer Science Education Act,⁴ and the Fulfilling the Potential of Women in Academic Science and Engineering Act of 2011.⁵ Though these bills have all died and were referred to committees, the topic has come up many times during Committee hearings, including the Encouraging the Participation of Female Stem Workers and the America wins when America competes: building a high-tech workforce hearings. Below is a summary of the problems and possible solutions the experts in these meetings have highlighted.

The Problem

During the Committee hearing, *Encouraging the Participation of Female Stem Workers*, Dr. Marcia Brumit Kropf stated that the problem lies with the negative perceptions girls have for their potential in the field of science and technology:

55 percent of girls in grades 3-12 agreed with this statement: "In my school, boys think they have the right to talk about girls' bodies in public." 44 percent of girls, half, almost half, agreed that: "The smartest girls in my

² US, *Encouraging the Participation of Female Students in STEM Fields: Hearing Before the Subcommittee on Research and Science Education, Committee on Science and Technology House of Representatives*, 111th Cong (Washington, DC: United States Government Printing Office, 2010) at 8 (Chairman Lipinski) [STEM Fields].

³ US, Bill HR 1951, *E 2 for Innovation Act*, 112th Cong, 2011.

⁴ US, Bill HR 3014, *Computer Science Education Act of 2011*, 112th Cong, 2011.

⁵ US, Bill HR 889, *Fulfilling the Potential of Women in Academic Science and Engineering Act of 2011*, 112th Cong, 2011.

school are not popular." 36 percent said: "People think girls are not interested in computers and technology." And 17 percent of girls thought it was true that: "Teachers think it is not important for girls to be good at math".⁶

In the same Committee hearing, a lack of female representation at a young age was considered as explaining the exclusion of young girls in science. The predominant image of science as a male-dominated field was demonstrated as part of the problem:

Dr. Sandra L. Hanson: In my research and that of others, we show girls start out with equal interest and abilities in science. Things start changing, though, as early as the second grade...One NSF study found that when second grade girls and boys draw pictures of scientists, they draw a white male in a lab coat...One of the issues is textbooks. If students don't see images in textbooks of people that look like themselves, they can't connect.⁷

Ms. Cherryl T. Thomas: The biggest challenges to attracting and retaining women and girls in the STEM fields, I think, are exposure at an early age, encouragement and nurturing of ideas, and the pervasive tendency to promote the sciences as career fields for boys and men, although medicine is the exception to this rule.⁸

The Solution

Committee hearings and legislation have explored possible solutions to this issue. Many experts and government members believe more positive female role models will provide the solution. During the Committee hearing, *Encouraging the Participation of Female STEM workers*, Dr. Marcia Brumit Kropf illustrated how their program "Girl Inc. Operation Smart" demonstrates that the solution is informal science education for girls. For example, in the Robotics Lego League Competition, boys are normally the ones operating the robots. Instead:

On our teams, and those sponsored by our friends, the Girl Scouts, girls do it all. We expect girls to succeed, and we help them to develop the same expectations of themselves. We also include adult women role models, as they are essential in helping girls to be aware of career options, and to envision themselves in those careers someday.⁹

⁶ *STEM Fields, supra* note 2 at 17 (Dr. Marcia Brumit Kropf).

⁷ *STEM Fields, supra* note 2 at 22-24 (Dr. Sandra L. Hanson).

⁸ *STEM Fields, supra* note at 43 (Ms. Cherryl T. Thomas).

⁹ *Supra* note 5 at 18.

Dr. Kropf believes this informal education will allow girls to learn and discover through hands-on experience and become comfortable with making mistakes. Having a female scientist come in for career day is not enough. This informal education will also expose girls to female role models, and the girls will view “adult women making mistakes... getting their hands dirty, and they can talk casually with them about what it is like to have a scientific career”.¹⁰

Similarly, in California, a house resolution was enacted in 2012:

WHEREAS, When women encounter success stories of other women in the science and mathematics fields, they are more likely to see themselves pursuing a similar career path in the STEM fields; and
WHEREAS, Role models are important to maintain a young woman’s interest in STEM academics and in pursuing a STEM career; and
WHEREAS, STEM summer camps, workshops, and after-school afterschool programs effectively recruit more women into the STEM community by providing an opportunity for them to encounter role models and work together in a team setting.¹¹

This resolution’s objective was to continue the development of summer camps, workshops, outreach programs, afterschool programs and fellowship programs that will further the advancement of female students and encourage them to join the STEM fields.¹²

In the Committee hearing, *America wins when America Competes: building a high-tech workforce*, David Zaslave, the president and CEO of Discovery Communications, brought up the need for female role models. He believes their new nationwide program, “Be the Future Campaign”, a 6-days a week commercial-free children’s show, will boost the young female audience because of their host Kari Byron.¹³

Other experts expressed that the solution requires increased federal funding. Dr. Kropf suggested that there must be an increase in funding for informal STEM educational afterschool programs.¹⁴

In the same hearing, Ms. Barbara Bogue agreed that the Federal Government must fund the design and implementation of programs, but more specifically that funding must be given to

¹⁰ *Ibid.*

¹¹ US, HR 34, *Relative to Science, Technology, Engineering, and Mathematical Jobs*. 2011-12, Reg Sess, Cal, 2012, (enacted).

¹² *Ibid.*

¹³ US, *America wins when America competes: Building a High-tech Workforce: Hearing Before the Committee on Commerce, Science, And Transportation United States Senate*, 111th Cong (Washington, DC: U.S. Government Printing Office, 2011) at 8 (David Zaslav).

¹⁴ *Supra* note 5 at 18.

proper research – “basic research, through programs like NSF GSE is a critical tool for increasing the numbers of women in engineering and other STEM fields”.¹⁵ Bogue also suggested climate studies as a second area of research to uncover the barriers for girls in engineering, such as: “unwelcoming classrooms, outdated teaching styles, a lack of accommodation for different social or cultural experiences, [and] a lack of good advising”.¹⁶

In Congress, a House of Representative bill entitled *Fulfilling the Potential of Women in Academic Science and Engineering Act of 2011* proposed a similar solution. Unfortunately this bill died when referred to committee. However, the proposal is interesting, as it would require the creation of workshops for the researchers themselves regarding “methods that minimize the effect of gender bias in the evaluation of federal research grants”.¹⁷

Dr. Sandra L. Hanson’s solution was to address the exclusion of female scientists in elementary school textbooks. Also, introducing guides into schools and teachers, such as the “Encouraging Girls in Math and Science” guide, would offer ideas to increase the female participation in STEM if integrated into the curriculum.¹⁸

Ms. Cherryl T. Thomas argued that the funding should go towards adding “programs with mathematics, chemistry, and physics to primary as well as secondary education”.¹⁹ Through these programs, girls would be exposed to women who are pursuing careers in these fields. Ultimately, Thomas’s suggestion is “we really do have to nurture young girls, to realize that they have ideas, that it is okay”.²⁰

Each of these solutions addresses the capacity of girls to excel in this area and suggests similar barriers are holding them back: under-funded programs, barriers in the classroom, and a lack of female role models and representation in textbooks.

¹⁵ *STEM Fields*, *supra* note 2 at 34 (Ms. Barbara Bogue).

¹⁶ *Ibid.*

¹⁷ US, Bill HR 889, *Fulfilling the Potential of Women in Academic Science and Engineering Act of 2011*, 112th Cong, 2011.

¹⁸ *STEM Fields*, *supra* note 2 at 22-24 (Dr. Sandra L. Hanson).

¹⁹ *Ibid* US, at 43-47 (Ms. Cherryl T. Thomas).

²⁰ *Ibid.*

B. Privacy

With recent technological advancements used by marketing companies, such as behavioral and locational targeting, the discussion in the United States is turning to concerns that children are providing too much information on websites. In the committee hearing referenced below, the experts discussed the benefits and possible changes needed to the *Children's Online Privacy Protection Act* (COPPA) and Federal Trade Commission (FTC) which enforces the statute.

The Problem

During the 2010 Committee hearing, *An Examination of Children's Privacy: New Technology and the Children's Privacy Act*, witnesses discussed challenges related to children's privacy online:

Kathryn C. Montgomery, Professor at the School of Communication:

One is behavioral targeting, which is an invisible process and a covert process that tracks individual users, through cookies and other data files, to collect information about them, and to design personalized advertising to target them, based on their psychological profiles and their behavioral profiles. And this also raises the question of what constitutes "personally identifiable information." It's not just a matter of your giving your name. The marketers are able to know who you are, and get to you and target you. And the second is mobile marketing...one of the important things is that it combines behavioral targeting with location targeting. And the research that I've done on children's food marketing and the obesity crisis has found fast-food companies creating discount coupons that will be sent to people's and children's cell phones when they get near a fast-food restaurant.²¹

In the discussion about children's privacy online, concern about targeted marketing and children providing too much information overlapped with concern about children's exposure to sex and pornography:

Hon. Amy Klobuchar, U.S. Senator From Minnesota: And no group adapts to new technology quicker than young people. And as was noted by my colleagues, nearly 16 million kids aged 2 through 11 are active online, and they make up, I think, 9.5 percent of online users. And these numbers are growing as more and more young people are logging on. The average young child spends more than 11 hours a month on the Internet, a 63-percent

²¹ *Ibid* at 33-34 (Kathryn C. Montgomery).

increase over 5 years ago. And this is one of the more sad facts. One survey found that the top five Internet searches for children under 13 are YouTube, Google, Facebook, sex, and porn.²²

Solutions

During this committee report, Jessica Rich, Deputy Director of the Bureau of Consumer Protection, suggested that website operators must take responsible steps to combat the problem:

Website operators must provide notice of their information collection practices and, with limited exception, obtain verifiable parental consent prior to the collection, use, or disclosure of personal information from children. Operators also must give parents the opportunity to review and delete personal information that their children have provided... A crucial complement to our law enforcement efforts is educating businesses about their responsibilities under the law.²³

Michael D. Hintze, the Associate General Counsel from Microsoft Corporation, argued that Microsoft has already taken steps to implement the suggestions made by Rich:

First, Microsoft requires parental consent and offers parental controls for a number of our products and services... Second, Microsoft engages in educational efforts around the world to help parents and caregivers make informed decisions about children's Internet use. Third, Microsoft partners with government officials, industry members, law enforcement agencies, and child advocates, to address children's privacy and safety issues.²⁴

He offered further suggestions to address this current issue:

First, the Commission should provide clear guidance on how companies can better meet, not only the letter, but the spirit of the law. Second, we urge the Commission to work with technology companies and consumer advocates to develop more consumer-friendly, effective, and scalable methods for obtaining parental consent.²⁵

²² US, *An Examination of Children's Privacy: New Technologies and the Children's Online Privacy Protection Act: Hearing before the Subcommittee on Consumer Protection, Product Safety, and Insurance of the Committee on Commerce, Science, and Transportation United States Senate*, 111th Cong (Washington, DC: United States Government Printing Office, 2011) at 6 (Hon. Amy Kobuchar) [Children's Privacy].

²³ *Ibid* at 12 (Jessica Rich).

²⁴ *Ibid* at 19-20 (Michael D. Hintze).

²⁵ *Ibid* at 20.

Kathryn C. Montgomery's approach was not to focus on the parental consent system, but on the creation of fair marketing practices to address the unique needs of vulnerable adolescents:

Finally, I do want to say that, while COPPA has established important safeguards for the youngest consumers in the digital marketplace, adolescents have no such protections. We know they're avid users of social networks, like Facebook and MySpace and others. In many ways, they're living their lives online, and they're increasingly relying on these social networks and on search for personal information and for handling sensitive personal issues that they're coping with in their lives. So, I would argue, we—I'm not arguing for a parental verification system, like COPPA, but I do think we need a set of fair information and marketing practices that are tailored to the unique needs and vulnerabilities of adolescents. So, I hope the Committee will send a message to the FTC that COPPA remains important, but needs to be updated, and also, that the FTC should develop specific recommendations for protecting the privacy of adolescents as part of its broad new initiative on online privacy.²⁶

Timothy Sparapani, Director of Public Policy at Facebook, submitted arguments that Facebook is actually safer for users:

First, Facebook's real-name culture and innovative technologies and policies enhance online safety and privacy for teens. And, two, Congress should not overhaul COPPA, but, rather, support and encourage, not discourage or prohibit, companies' innovations to advance child and teen online safety, security, and privacy. Before Facebook, Internet users were warned to avoid sharing their real names and information online. Facebook was the first major Internet site that required people to build their profiles and networks using real names. This made Facebook less attractive to predators and other bad actors, who prefer not to use their real names and identities. People are also less likely to engage in negative, dangerous, or criminal behavior when their friends can see their name, their speech, and their information that they're sharing. This real-name culture, therefore, creates accountability and deters bad behavior. Further, Facebook's proprietary technologies allow us to continuously improve online safety and combat emerging online threats.²⁷

²⁶ *Supra* note 22.

²⁷ *Children's Privacy, supra* US, at 13-14 (Timothy Sparapani).

Related Concerns

Two experts also vocalized additional concerns during this Committee hearing. Berin Szoka, Senior Fellow and Director of the Center for Internet Freedom, was primarily concerned with free speech. Requiring people to disclose their age “constitutes a prior restraint on anonymous or pseudo anonymous communications”.²⁸ Szoka argued that the COPPA expansion would “raise costs for smaller or new sites and services geared toward minors [discouraging] innovation, limit choice, and raise prices for consumers”.²⁹ As a solution, he suggested children must be educated about advertising, making them smarter consumers.

The Honorable Roger F. Wicker, U.S. Senator from Mississippi, voiced a similar concern. Though his priority was ensuring the safety of children, he added, “we must also take care not to stifle innovation and business development that drives our economy and makes possible so many of the opportunities available to our children”.³⁰

Application

Due to the extensive work regarding COPPA and FTC in committee hearings, like the one referenced above, California has enacted a new law, which will:

prohibit an operator of an Internet Web site, online service, online application, or mobile application, as specified, from marketing or advertising a product or service to a minor, as defined, if the minor cannot legally purchase the product or participate in the service in the State of California. This bill would also prohibit an operator from using, disclosing, or compiling, or allowing a third party to knowingly use, disclose, or compile, the personal information of a minor for the purpose of marketing goods or services that minors cannot legally purchase in the State of California.³¹

Part of their justifications for the bill was the fact that young teens are still developing critical thinking skills and often have a “tendency to reveal before they reflect”.³² They reference a

²⁸ *Ibid* at 47-48 (Berin Szoka).

²⁹ *Ibid*.

³⁰ *Ibid* at 3 (Hon. Roger F. Wicker).

³¹ US, SB 568, *An act to add Chapter 22.1 (commencing with Section 22580) to Division 8 of the Business and Professions Code, relating to the Internet*, 2013-14, Reg Sess, Cal, 2013.

³² US, Senate Judiciary Committee, *An act to add Chapter 22.1 (commencing with Section 22580) to Division 8 of the Business and Professions Code, relating to the Internet*, (2013) at 5.

recent poll, which revealed 92% of teenagers believe they should have the option to delete personal information online. As a result, the bill will require any operator of an online service to “permit a minor . . . to remove content or information submitted to or posted on the operator’s Web site”. The operator will then have to inform the minor that this removal “does not ensure complete or comprehensive removal of the content or information”.³³

Conclusion

New technological advancements have certainly made some experts fear for the privacy of children online. However, the solutions require implementing programs to educate parents on how to ensure their children are safe online. Website operators should be required to engage in fair marketing practices and take steps to ensure children are not being exploited online. Facebook and Microsoft representatives suggest their sites are safer forums to use and will become even safer if parental consent is enforced.

C. Cyberbullying

Cyberbullying has certainly been a hot-topic in North American media and this has increased government discussion and legislative action. Girls have been a significant focus of these discussions, with some commentators assuming that it is girls who are increasingly affected by, and also the perpetrators of, this “epidemic”. Children’s Internet lawyer and cyber safety advocate Parry Aftab has gone so far as asserting, “I always say the girls and the geeks are empowered by technology, often they will take on the most popular kids in school”.³⁴

Though many have highlighted this as a problem for girls and young women, proposed solutions tended to be directed at the broad problem instead of focusing on *why* girls may be overrepresented as both cyberbully and cyber-victim. These solutions are listed below:

³³ *Ibid.*

³⁴ US, *Ensuring Student Cyber Safety: Hearing Before the Subcommittee on Healthy Families and Communities, Committee on Education and Labor*, U.S. House of Representatives, 111th Cong (Washington, DC: United States Government Printing Office, 2010) at 28 (Parry Aftab).

Dr. Phil, Syndicated Daytime Television Talk Show Host and Best-

Selling Author: give educators, administrators, teachers the tools that they need to prevent this, to intervene once it happens, to break the pattern and both bullies and targets need counseling... We have to help the bullies understand, develop empathy to realize when I do this, it is destroying someone's life... we need to add language to address cyber-bullying to the *Elementary and Secondary Education Act* because teachers in particular are dedicated professionals... we need to Google our children's names. We need to know where their name pops up, who is talking to them, what they are saying and how they are doing it.³⁵

Statement of Dr. Jorge Srabstein, Child Psychiatrist: Promotion of public awareness about the nature, toxicity and prevention of bullying and cyber-bullying; development of safe schools through programs that enhance mutual respect, sensitivity and support of others, tolerance to diversity and disapproval of bullying and cyber-bullying; Implementation of research-based, school-wide bullying prevention programs for all students attending elementary and secondary education; fostering the necessity and obligation to report incidents of bullying, as a conscientious community public health attitude, with safeguards against any threat of retaliation or liability for those who report, and support or guidance in reporting bullying, cyberbullying incidents through a hotline; monitoring and detecting ongoing bullying incidents; providing school interventions through school counselors or nurses to protect and support students who are being bullied, perpetrators should be counseled or sensitized about the harm inflicted, while helped to develop respect, empathy, tolerance and sensitivity to others; consideration of referral for medical evaluation and treatment for victims and perpetrators who experience physical or psychological symptoms linked to bullying.

During this Committee hearing, only one expert, Dominique Napolitano, a teen member from Girl Scouts, attested to the underlying issues that encourage girls to cyberbully. Napolitano asked the Senate to consider the concept of relational aggression:

cyber-bullying is one of the largest set of behaviors called relational aggression aims [sic] to harm an individual's self-esteem, feeling of self-worth and relationships with his or her peers. Girls especially are prone to relational aggression and cyber bullying is just one way that it takes place.³⁶

³⁵ *Ibid* at 7-8 (Dr. Phil McGraw).

³⁶ *Ibid* at 12 (Dominique Napolitano).

Napoltano reminded the committee that this issue is often ignored by teachers and administrators. Without understanding the whole spectrum of relational aggression, she said, we will not be able to truly understand girls' role in cyber-bullying.

Children's alleged lack of insight was also addressed during this Committee hearing, as there was said to be a "huge disparity between knowledge and wisdom on the Internet...kids have the knowledge, but we are the ones with the wisdom".³⁷ Aftab described the solution as a need to teach children 'digital hygiene':

If I may explain, cyber-bullying is not one thing. It is a lot of things. We found that 85 percent of the elementary school students share their password with at least one other person, and 70 percent of high schoolers do, especially the best friend or someone they are dating. If someone is armed with your secrets and your passwords they can do really serious destruction when tomorrow you hate each other which happens several times a day. If we can deal with digital hygiene, teaching kids a password that is easy to use, not easy to guess, easy to remember...we have locked our doors, then the rest is just behavioural.³⁸

To address this explosion of cyberbullying, many bills were proposed to ensure schools were implementing programs aimed at reducing and educating about cyberbullying, and including the term 'cyberbullying' in definitions of harassment, such as: *An act to amend the education law, in relation to prohibiting bullying and cyberbullying in public schools* (New York)³⁹, *The Bullying in Public School System Bill* (Florida),⁴⁰ *An act to amend Section 32261 of the Education Code, relating to pupils* (California),⁴¹ and the *Protecting Our Children Online Act* (Federal).⁴² Some bills added criminal penalties for those who participate in cyber harassment: *Megan Meier Cyberbullying Prevention Act* (Federal)⁴³ and *An act to amend the penal law, in relation to cyberbullying on a computer network* (New York).⁴⁴

³⁷ *Ibid* at 23 (Barbara-Jane Paris).

³⁸ *Ibid* at 31 (Parry Aftab).

³⁹ US, SB 7740, *An act to amend the education law, in relation to prohibiting bullying and cyberbullying in public schools*, 235th Leg Sess, NY, 2011 (enacted).

⁴⁰ US, HB 609, *Bullying in Public School System*, 2013 Reg Sess, Fla, 2011.

⁴¹ US, AB 746, *An act to amend Section 32261 of the Education Code, relating to pupils*, Cal, 2011.

⁴² US, Bill HR 6145, *Protecting Our Children Online Act of 2008*, 110th Cong, 2008.

⁴³ US, Bill HR 1966, *Megan Meier Cyberbullying Prevention Act*, 111th Cong, 2009.

⁴⁴ US, AB 7048, *An act to amend the penal law, in relation to cyberbullying on a computer network*, 232nd NY Assem, Reg Sess, NY, 2009.

D. Sexting

The issue of sexting is generally considered when discussing cyberbullying. However, legislative action has also described sexting as an issue of teen dating violence. For example, an enacted California resolution in 2010 addressed the impact of sexting as a form of dating violence, specifically for teenage girls:

WHEREAS, Twenty percent of teen girls exposed to physical dating violence did not attend school because the teen girls felt unsafe, either at school or on the way to or from school, on one or more occasions in a 30-day period; and

WHEREAS, Being physically and sexually abused leaves teen girls up to six times more likely to become pregnant and more than twice as likely to report having a sexually transmitted disease; and

WHEREAS, Dating, domestic, and sexual violence affects women regardless of their age, and teens and young women are especially vulnerable; and

WHEREAS, Approximately one in three adolescent girls in the United States is a victim of physical, emotional, or verbal abuse from a dating partner, a figure that far exceeds victimization rates for other types of violence affecting youth; and

WHEREAS, Digital abuse and “sexting,” the electronic distribution of pictures, videos, or text messages that are sexually explicit, are becoming new frontiers for teen dating abuse; and

WHEREAS, One out of four teens in a relationship say they have been called names, harassed, or put down by their partner through the use of cell phones or texting; and

WHEREAS, Three out of 10 young people have sent or received nude pictures of other young people on their cell phone or online, and 61 percent who have “sexted” report being pressured to do so at least once; and

WHEREAS, Targets of digital abuse are almost three times as likely to contemplate suicide as those who have not encountered such abuse (8 percent vs. 3 percent), and targets of digital abuse are nearly three times more likely to have considered dropping out of school.⁴⁵

In contrast, Florida enacted a bill in 2011 which did not discuss girls and their relation to sexting (except when referencing real life examples). Instead, the *Offense of Sexting* bill was focused on developing a reduced penalty so that offenders would not be charged under laws reserved for child pornography.⁴⁶ There are differences between the states in regard to creating laws to

⁴⁵ US, ACR 100, *Relative to Teen Dating Violence*, 2010, Reg Sess, Cal, 2010, (enacted).

⁴⁶ US, HB 75, *Offense of Sexting*, 113th Reg Sess, Flor, 2011, (enacted).

protect the victims of sexting (girls) and creating laws to protect the perpetrators of sexting (boys).

E. Cyber Safety

One proposed solution to the many issues discussed above is an increase in education on cyber safety: “the most important legislation that we must introduce...is that there is a need for the State to institute a mandatory, uniform, age-appropriate Internet safety curriculum throughout all public and private schools”.⁴⁷

The need to protect children from predators was used in New York to motivate their bill, *An act to Amend the Education Law, in relation to Courses of Study in Internet Safety*:

By introducing such legislation, children will be better educated as well as protected by understanding that there are risks and consequences when browsing on the Internet. We must allocate more dedicated resources to teach and educate our children of the implications of computer/cyber crimes in the State of New York. The time is now to be one step ahead of cyber predators and protect the children of New York.⁴⁸

There have been various suggestions on how to educate students on cyber safety. New York’s *Public Internet Access Safety Act* suggested that public libraries should be responsible to “place certain warnings of internet dangers for children on such library system's internet homepage, including but not limited to, warnings of sexual predators, safe blogging, ‘dealing with cyber bullies’ and social networking safety”.⁴⁹

Other suggestions include the importance of educating parents and communities. The proposed Federal bill, *Student Internet Safety Act of 2009*, would have required educational agencies to use funding to:

- (1) educate students about appropriate online behavior, including interacting with individuals on social networking Web sites and in chat rooms;

⁴⁷ US, AB 956, *An act to Amend the Education Law, in relation to Courses of Study in Internet Safety*, 235th New York Assem, Reg Sess, NY, 2012.

⁴⁸ *Ibid.*

⁴⁹ US, AB 3513, *An Act to amend the executive law, in relation to enacting the "public internet access safety act"* 2013-14 Reg Sess, NY, 2013.

(2) protect students against online predators, cyberbullying, or unwanted exposure to inappropriate material; or

(3) promote involvement by parents in the use of the Internet by their children.⁵⁰

A Federal House of Representative bill called *Adolescent Web Awareness Requires Education Act* (which died in Committee), emphasized the need to involve the community. The Act “requires such program to educate children, parents, and communities about how to prevent or respond to problems or dangers related to the Internet or new media”.⁵¹

In conclusion, the dangers of the Internet and the threat of predators is considered an increasing reason to establish education on cyber safety. Though the concern is with protecting children, the focus of educational resource distribution is towards parents and community members. Making the community responsible for children’s online safety seems to be an important image for legislators.

F. Additional Comments (media sexualisation, pornography, child pornography & luring)⁵²

Although the focus in the United States over the past five years has been largely on cyberbullying, sexting and encouraging girls to enter STEM fields, there are some additional policy issues worth mentioning:

Media Sexualisation of Women

In 2011, a Federal Senate bill called the *Healthy Media for Youth Act* was proposed, but ultimately did not become law. The bill’s objective was to implement youth empowerment programs, “to authorize research on the role and impact of depictions of girls and women in the media [and] to provide for the establishment of a National Task Force on Girls and Women in

⁵⁰ US, Bill HR 780, *Student Internet Safety Act of 2009*, 111th Cong, 2009, S.2 (1),(2),(3).

⁵¹ US, Bill HR 3630, *Adolescent Web Awareness Requires Education Act*, 111th Cong, 2009.

⁵² Further research will need to be conducted with respect to Texas law related to girls and technology. The database search function (<http://www.capitol.state.tx.us/Search/Billsearch.aspx>) was limited and it is possible that some legislation escaped notice.

the Media”.⁵³ The bill listed staggering statistics illustrating how the media encourages negative perception of young female bodies. For example:

almost 90 percent of girls say the media places a lot of pressure on teenage girls to be thin...Only 34 percent of girls report being very satisfied with their bodies...Fifty-four percent of young girls in grades 3 through 5 worry about their appearance...only 32 percent of African-American girls think the fashion industry does a good job of representing people of all races and ethnicities...less than 1 in 3 speaking characters in children’s movies are female, and that the majority of female characters in children’s movies are praised for their appearance or physical beauty rather than their personality, intelligence, or other talents.⁵⁴

The bill’s proposed solutions to these issues included raising awareness about the effects of viewing unhealthy images, developing critical thinking skills in children, and encouraging youth to consume a healthy and balanced media depiction of girls.⁵⁵

In 2009 a committee hearing was held to discuss the 1990 *Children’s Television Act*. The hearing’s objective was “first... to provide good media content for children. And, second, there is a need to protect our children from harmful content. To provide and to protect. That’s it”.⁵⁶ Yet, unlike the *Healthy Media for Youth Act*, the harmful content referred to here was “inappropriate marketing to children”. The focus of the hearing was to protect children from commercial advertising, and to provide parents with the tools to protect their children from commercial exploitation.⁵⁷

Protection from Child Pornography and exposure to Pornography

The discussion of child pornography and censoring children from online pornography seems to arise only in 2007 and 2008, with very little mention recently. In 2008, the Senate proposed a bill, *Protecting Children from Pornography and Internet Exploitation Act of 2008*. The bill, which died and was referred to committing, proposed that the solution to the problem of child

⁵³ US, Bill S 1354, *Healthy Media for Youth Act*, 112th Cong, 2011.

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ US, *Rethinking the Children's Television Act for a Digital Media Age: Hearing Before the Committee on Commerce, Science, and Transportation, United States Senate*, 111th Cong (Washington, DC: United States Government Printing Office, 2010) at 3.

⁵⁷ *Ibid* at 5.

pornography is “to defend against child exploitation and child pornography through improved Internet Crimes Against Children task forces and enhanced tools to block illegal images, and to eliminate the unwarranted release of convicted sex offenders”⁵⁸. The focus was purely on the government’s role in preventing children’s exposure to pornography and nothing was mentioned in regard to children, parents or the role of website operators.

Luring

In 2007, a Texas bill entitled *an act relating to the prevention and prosecution of and education concerning the offense of online solicitation of a minor* was proposed to address the problem of luring. This bill, which was ultimately not passed into law, would have required the Attorney General to include a link on their website that provided educational materials “designed to prevent the commission of the offense of online solicitation of a minor...[and] educate minors concerning ways to avoid becoming a victim or perpetrator of the offense of online solicitation”.⁵⁹

Recently in New York, a bill was proposed that would make luring on the Internet a class B felony. The justifications stem from the fear of children engaging in conversations with predators online: “The internet has opened up the possibility for individuals to engage children in conversations on the web. Thus greatly increasing access to potential victims of sexual abuse”.⁶⁰

Revenge Porn

Revenge porn is beginning to be discussed as a policy topic. Recently in Florida, a bill was proposed which would criminalize transmitting or posting nude adult photographs and personal information on social networking sites. The term ‘revenge porn’ is not used. Instead, the behaviour is described as cyber harassment. It also makes reference only to adults, but this policy issue should be tracked to see if action is taken specifically with respect to youth.

⁵⁸ US, Bill S 3344, *Protecting Children from Pornography and Internet Exploitation Act of 2008*, 110th Cong, 2008.

⁵⁹ US, SB 120, *A Bill to be Entitled An Act relating to the prevention and prosecution of and education concerning the offense of online solicitation of a minor*, 80 Leg Sess, Tex, 2007.

⁶⁰ US, S 1845, *An act to amend the penal law, in relation to creating the crime of criminal luring of a child on the internet*, 2013-2014 Reg Sess, NY, 2013.

Conclusion

In the United States, a number of laws have been passed federally and at the state level, relating to youth and technology. A far greater number of laws have been proposed and discussed without ultimately being passed into law. With regard to girls specifically, a prominent theme is the underrepresentation of women in the fields of science, technology, engineering and math (called STEM). Children's privacy (including protection from targeted marketing and sexually explicit content), cyberbullying and sexting are also common targets for proposed legislation. Discussions about cyber safety tend to focus on the importance of education – primarily for parents and community. Less discussed policy issues include the media sexualization of women, luring and child pornography. These issues seem to have been trumped by trending issues such as cyberbullying and girls' and women's STEM engagement.

Appendix – Summary of Findings

I) which children are paired with each discourse (if applicable)

- Information Superhighway:
 - o Girls as the key to America’s economic success
- Privacy:
 - o “vulnerable adolescents”
- Cyberbully:
 - o tech savvy girls and geeks
 - o tech savvy children but lack of wisdom
- Cyber Safety:
 - o Need to protect children from predators
- Media Sexualisation of Women
 - o Girls vulnerable to negative female body images in the media

II) which risks/opportunities relate to children’s use of technology in the discussions

- Information Superhighway:
 - o Opportunities: If girls become engaged within the STEM field early they will strengthen the American workforce.
- Privacy:
 - o Opportunities: the use of Facebook actually offers a safer avenue for youth because of their ‘real-name culture’
 - o Risks: disclosure of names and ages online may violate free speech.
 - o Risks: further safety requirements for operators of Website geared towards minors will raise the costs and stifle innovations and choices available for these minors.
- Cyberbully:
 - o Risks: ‘digital hygiene’
 - o Risks: cyberbullying presents more of an impact than regular bullying such as depression and suicide.
- Sexting:
 - o Risks: female victims of sexting will be less likely to attend school, more vulnerable to becoming pregnant and acquire an STD, and three times more likely to contemplate suicide.
 - o Risks: perpetrators of sexting will be charged under child pornography laws.
- Cyber safety:
 - o Risks: we must be “one step ahead of the cyber predators and protect the children”
- Media Sexualisation:
 - o Risks: A lack of positive female representations in the media will lead girls to be unsatisfied with their bodies and physical beauty.
- Luring:
 - o Risks: fear of children engaging in conversations with predators online.

III) which discourses are discussed either implicitly or explicitly in association with girls and which representations of girls are made

- Information Superhighway:
 - o Girls are described as the key to American economic success
 - o They begin to be engaged in STEM early but face barriers due to their gender which forces them to leave the field
 - o Female role models and images of female scientists will help to bridge this gender gap
- Cyberbully:
 - o Girls tend to cyberbully more because it is a forum for relational aggression, which is a prominent issue specific to girls
 - o “girls and the geeks are empowered by technology, often they will take on the most popular kids in school”.
- Sexting:
 - o Sexting is framed as a teen dating violence issue, describing girls as the primary victim.
- Media Sexualisation of Women:
 - o Girls are specifically discussed in the *Healthy Media for Youth Act* in regards to healthy body images and the need for positive female representations in the media.

IV) which discourses seem to be informed by data/research involving discussions with children

- Information Superhighway:
 - o Specifics statements from girls are used to demonstrate the negative perception girls have about being in the field of STEM, ex. “teachers think it is not important for girls to be good at math”.
- Privacy:
 - o Reference of polls taken to address youth’s views of private information online.
- Cyberbully:
 - o Uses the statement of Girl Scouts teen member to understand why youth do not want to report bullying
- Sexting:
 - o Lengthy use of statistics to demonstrate girl’s presence within the issue of sexting and the harms it presents to them
- Media Sexualisation of Women:
 - o Lengthy list of statistics illustrating how the media encourages negative perception of young female bodies, including reports from girls themselves