

To: Senate Committee on Economic Development

From: Don Tinney, President

Date: February 29, 2024

RE: S.289 (Protection of personal information and data privacy)

Good morning. For the record, my name is Don Tinney, a 31-year veteran English teacher from South Hero, currently representing nearly 13,000 educators as president of Vermont-NEA. I appreciate the opportunity to speak with you today as you continue to consider S.289, a consumer protection bill that will protect the privacy of our students and require internet companies to provide age-appropriate experiences for the children and youth who access online products and services.

Vermont educators prioritize the health and well-being of their students above all else. This is why we have insisted upon our students having access to a school nurse in every district, why we support universal school meals, why we are advocating for more affordable housing, and why we are calling for additional mental health services within our school communities.

It is no exaggeration to claim that young lives are being ruined by the unhealthy use of social media and other experiences delivered by digital companies over the internet. Cellphones and other digital devices have created overwhelming distractions from student learning. Over the last decade, too many students have become addicted to their cellphones and are suffering the consequences of sleep deprivation, lower academic achievement, and the deterioration of personal relationships (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6449671/>). On a daily basis, our educators see the direct result of this deterioration which has contributed to the very real need for more counselors and social workers in our schools and communities.

According to the Pew Research Center, 95 percent of U.S. teens have access to a smartphone. Forty-six percent of teens report that they are online “almost constantly.” Ninety-eight percent say they are online daily (<https://www.pewresearch.org/internet/2023/12/11/teens-social-media-and-technology-2023/>)

Cellphone use, including the obsession with social media content, has contributed to student dysregulated behavior. We have learned a great deal about the trauma of adverse childhood experiences in recent years and every educator in the nation knows the impact that trauma has on a student’s social and emotional well-being, as well as on behavior. Too many children and youth are engaged in adverse experiences through their digital devices, as the U.S. Surgeon General has pointed out in a recent advisory.

The types of use and content children and adolescents are exposed to pose mental health concerns. Children and adolescents who spend more than 3 hours a day on social media

face double the risk of mental health problems including experiencing symptoms of depression and anxiety. This is concerning as a recent survey shows that teenagers spend an average of 3.5 hours a day on social media. And when asked about the impact of social media on their body image, 46% of adolescents aged 13-17 said social media makes them feel worse (<https://www.hhs.gov/surgeongeneral/priorities/youth-mental-health/social-media/index.html>).

While some online platforms have benefits—including new ways for educators to present information and for students to take virtual field trips easily—our children and youth are simultaneously suffering the effects of unregulated social media practices and inappropriate content, including invasive data collection, targeted advertising content, misinformation, and harassment (<https://www.nea.org/about-nea/leaders/president/from-our-president/neas-letter-social-media-companies>).

In 2021, 16% of high school students reported that they had been bullied through social media (https://www.cdc.gov/healthyyouth/data/yrbs/yrbs_data_summary_and_trends.htm).

We also know that considerable research suggests that the contents of social media feeds have an impact on teens' self-esteem and mental health (<https://www.apa.org/monitor/2022/03/feature-minimize-instagram-effects>). With ineffective age restrictions found on the social media platforms, we know that children and pre-teens engage in similar online behaviors as teens.

Digital corporations like Facebook, TikTok, Instagram and Snapchat have created a monster that has made our culture more and more toxic with each passing year.

The Vermont Kids Code legislation will be one small step in taming that monster.

Vermont educators take seriously the important role they play in the lives of their students, but they also know that the learning, growth and development, and emotional maturation of their students are influenced tremendously by their experiences outside the classroom. Social media is increasingly part of that broader experience. We need this legislation to support our young people and their families as they learn how to effectively and safely use today's multiple media platforms.

While our educators see social media's psychological impact on their students every day, they do not always see the multiple ways in which personal data is collected by every internet user of any age. This legislation will protect the young user's privacy and make sure that our children are not unwittingly providing corporations with sensitive personal data.

Vermont educators work hard every day to protect their students from harm. A student's health and well-being will always be an educator's top priority. It is our members' commitment to their students that leads our organization to support the Vermont Kids Code.

Thank you.