

**Tangled Within the Darkweb: An In-Depth Analysis of Legislation Roles in an Adolescent's
Cyberworld**

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Abstract

Each year, thousands of adolescents and growing teenagers face differing levels of cyberbullying, mainly due to the growing phenomena that lies within social media usage and today's societal standards on time dedicated to media. More bluntly, within the realm of cyberbullying, how much media is *too* much media, and what effect does it have on young users' social and mental health? Should there be more prominent and limiting cyberbullying legislation for social apps such as Facebook and Instagram, and should this legislation span to include adolescents? In 2017, the Texas legislature took a step towards betterment and created "David's Law" in an attempt to combat cyberbullying in school systems. Research showed multiple studies to see the seriousness of cyberbullying for adolescent brains, and how to best combat cyber issues following David's Law. Most specifically, three main themes emerged from these studies after analysis: 1) the socioeconomic status of states and districts are vast, leading some school districts to take cyberbullying policies more seriously than others, 2) there is an incredible lack of research on cyberbullying in totality, including what laws are in place and their effectiveness, and 3) the overall severity of cyberbullying in adolescents only grows as the use and access to media increases. Additional recommendations and limitations are included to combat these three elements and to provide a safer cyberworld for young users.

Keywords: mental health, David's Law, cyberbullying, adolescents, social media, apps, legislation, online platforms, freedom of speech

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Synopsis

How many times have you been told to stop staring at your screen and go do something productive or meaningful? For years now, due to the rise of media usage in not only the nation but in the world, “screens” have become a daily part of society’s lives, whether it be within search engines, social media platforms, or otherwise. Individuals rely on technology to communicate and research, moving away from real-world conversations and hard-cover books. Among all, adolescents in particular have been ridiculed on time spent online, as many see childhood to be spent outdoors, learning through authentic situations.

As society enters a growing world of Internet capabilities, significance in caution must be crucial. According to Cataldo et al. (2021), online social interaction, the confusion between offline and virtual life, and digital identities have become more prominent topics of discussion in both psychology as well as mental health fields. Thus, there remains detrimental and psychological effects that media outlets such as Facebook and Instagram produce on adolescents, impacting their sociability. For one, adolescents created unrealistic expectations for themselves, both in the realm of body image issues as well as their general social spheres. Adolescents additionally had hindering in their verbal communication and real-world relationships. Media outlets also promoted introverted adolescent tendencies by allowing for cyberbullying, and anxious-depressive disorders for these same individuals. As a result, through issues including unrealistic expectations, verbal hindering in real-world situations, cyberbullying, and depressive-anxious disorders, media usage negatively affected adolescents and their sociability.

Thus, the purpose of this study is to better understand adolescent, online bullying and its multiple effects on both a state and national level, as it relates to legislation regarding the implementation of “David’s Law.” This law, passed and signed during Texas’ 85th Legislative Session, followed the death by suicide of 16-year-old David Molak, and has changed the way the nation reacts in regards to cyberbullying (Frisco, 2021, p.1).

Molak was described to have been harassed online as the leading cause to his eventual suicide, and the legislators thus aimed to bring more substantial awareness and policies to public school systems in an attempt to combat this intense cyberbullying (Frisco, 2021, p.1). The law even pushed districts to investigate bullying and cyberbullying reports occurring off-campus and during non-school hours (Livazovic & Ham, 2019). David’s Law more specifically punishes as follows: “cyberbullying is classified as a ‘Class-B Misdemeanor,’ but becomes a ‘Class-A Misdemeanor’ if the offender has a previous conviction for bullying or cyberbullying” or if the victim is under the age of 18 and the offender wanted the victim to “commit suicide or self-inflict a serious injury” (Topping, 2021, p.82). The perpetrator may experience administrative sanctions as well, such as expulsion from the school (Texas Association of School Boards, 2018; Varghese, 2017).

Specifically within the realm of David’s Law, the purpose of this study is to determine whether the Texas anti-cyberbullying law has effective results that may span to other areas of the nation and world, and what this law does for troubled adolescents involved with excessive media usage (Topping, 2021, p.9). The intended audience for this study is any and all individuals interested in research as it relates to cyberbullying and its effects on adolescents’ mental and social wellbeing. Bullying through the use of cellphones and computer use has detrimental behavioral outcomes, especially concerning those who are undergoing immense growth both

mentally, emotionally, and physically; and thus, dealing with and targeting bullying behavior before it becomes too late (as in the David Molak case) is intentional in this study. Additionally, those concerned with social media usage and its effects on the brain, body, and sociality of adolescents are encouraged to read this study, as it develops a comprehensive analysis of these issues. This study also focuses mainly on Texas legislation and the outcomes associated with the Texas public school systems, but may be broadened to target any and all states that deal with cyberbullying phenomena. To get a broader scope of the impacts related to legislation and media use is the focus of this study.

The scope of the research involved in this study first includes what the law actually intends to do in order to combat adolescent cyberbullying. Senate Bill 179 has classified cyberbullying to be a misdemeanor offense, and by allowing this, courts “may issue subpoenas and uncover people who are posting” troubled content online (Frisco, 2021, p.1). Additionally, the law requires schools to become more involved if cyberbullying is suspected, as well as involving parents if anyone involved fails to intervene in the harassment (Frisco, 2021, p.1). The scope includes and is limited to only public schools in Texas, not private schools.

At the end of the study, recommendations for further research are outlined and described. These recommendations include, but are not limited to, implementing further policies that would act more effectively, limiting time spent in media outlets, creating an app or program that would limit cyberbullies, and adequate community training.

Literature Review

Findings

Introduction to the Findings

As society enters a phenomenon involving the interaction and conversation on the web, it is possible to define and find multiple problems associated with media, as well as legislation regarding media. Adolescents in this step of life often seek acceptance and peer recognition, but the new virtual communities only increase existing insecurities (Livazovic & Ham, 2019). Thus, this section of the study introduces the findings of all research that took place, and will overview the three main issues involving both media in adolescents and legislation efforts.

A Lack of Punishment.

Often, one issue involved in cyberbullying is the lack of consequences that those involved in the act face. Media outlets such as Facebook and Instagram hinder verbal communication, as adolescents communicate and theoretically bully others behind a screen. This limits real-world relationships, and even moreso, limits any consequences that in-person bullying may allow for. In terms of consequences, this is not a typical “slap on the wrist” type of punishment, but rather a deeper focus on what happens if adolescents are not dealing with outcomes with parents, teachers, and other students.

According to Spies et al. (2014), the psychoanalysis of media consumption often loses the concept of verbalization, yet verbalization remains a significant part in understanding the crisis of adolescent media overconsumption. Spies et al. (2014) discussed that most importantly, parent-youth conflict occurred when adolescents remained consumed by the media. The article suggested that as adolescents are consumed by social media sites such as Facebook and Instagram, these sites “potentially [took] priority over and interferes with everyday family activities,” this led to “greater parent-youth conflict” long term (p.2). If there’s parent-youth conflict occurring with overconsumption of media, it would be safe in assuming this may span to interfere with parents (and/or teachers) adhering to consequences if and when they suspect

bullying to be taking place. Young people or adolescents are affected by peers, even more so as they move from their parents' influence to that of individuals the same age, transitioning to establish their social status (Topping, 2021, p.63).

It remained justified in Boer et al. (2020) as well: the less time adolescents spent interacting in meaningful, verbal situations, even those that take place as "real-life" bullying occurs, the less of a relationship existed among youths and their parents (Spies et al., 2014; Boer et al., 2020). The article researched by Boer and others noted that:

"two-level regression analyses indicated that in countries with a lower prevalence of intense [problematic social media use], intense users reported lower levels of life satisfaction and family support and more psychological complaints than non-intense users" (p.S89).

In this sense, adolescents with more media usage and less verbal communication strategies suffered more in their everyday lives, compared to the non-intense users (Boer et al., 2020). Not only within youth-parent relationships did this exist, but also in adolescent societies, such as in classrooms. Research from Spies et al. (2014) showed that "adolescents who [existed as] uncomfortable interacting with peers in face-to-face contexts" chose to develop their "social networks and met their social needs online" (p.4). Although this seemed less stressful and an attempted positive for media outlet analysis, it severely hindered "certain channels of communication, including voice tone, eye contact, and facial expressions," as online did not allow for this (p.4).

The underlying causes associated with not "getting caught" and acting behind a screen are substantial, and a serious issue in the discussion of cyberbullying and David's Law. How are we as a society able to give consequences to adolescent behavior if we are not able to properly

investigate the theoretical misdemeanors taking place? In this sense, one main issue concerns the lack of consequences that cyberbullies face, and in the discussion of David's Law, finding ways to combat this problem is essential.

Differing State Legislation.

State legislation varies no matter what form of law takes place, and although federal laws limit the variations, it is no secret that different states allow for different laws. Since state laws vary from one another, there is no consistency, and what is allowed in one state may not be permitted in another (Topping, 2021, p.78). This creates an issue regarding what each state authorizes in regards to cyberbullying, and may be confusing for those who are familiar with David's Law but would like to apply it elsewhere. Serious, meaningful legislation can be difficult to attain when understanding federal versus state legislation.

The most pressing concern within this issue is that there is no single federal law that adequately addresses cyberbullying in all its differing forms (Topping, 2021, p.70). Federal law has only spoken on a framework for the response to cyberbullying, but no true legal consequences are in place, leaving only certain protections for certain individuals on the basis of sex, age, race, among others (Topping, 2021, p.70). In terms of state legislature, the Department of Education in 2010 issued sixteen components that should be included in state anti-bullying laws, yet only nine states adhered to all sixteen guidelines (Waldman, 2018).

School districts and systems are held responsible for student harassment, but cyberbullying complicates more widespread, federal issues among states as it is not an in-person bullying occurring on school grounds. In the conversation on Texas laws, this study is able to apply David's Law and see the effects on adolescent media use and mental health outcomes, but in terms of broader scales including other states, it is difficult to obtain meaningful information.

Mental and Social Issues.

As discussed, there are incredible problems relating to the mental and social wellbeing of adolescents as they not only undergo a new era of sociability, but are exposed to much more media, including social media platforms that allow connections via friends as well as strangers. Additionally, it is not far-fetched to assume that public school systems as well as the general public do not tend to take mental health issues as seriously as the more obvious physical health. There remains a paramount problem for this study to discuss: how are adults to protect young users from this unrealistic social phenomenon?

Cataldo et al. (2021) saw an impossibility to simply tell adolescents that media, largely social media and the inaccuracy that results, remained untruthful, because the intense usage of = media involved biological functions, as well as psychological and cognitive functions that controlled adolescents' social sphere. This study explained that social spheres included a variety of concepts, such as "social desirability, popularity, and conflicts," resulting in serious inhibition (p. 2). Cataldo et al. (2021) found that media outlets affected not only users' minds, but their perceptions of themselves. The article noted that if young users consistently take in unhealthy amounts of unreliable information, it severely affects their overall social comparison, which is "closely linked to self-esteem, [and] in turn, affects the risks involved with cognitive appraisal," something adolescents strive for (p.6). This, in turn, affects adolescents and their use of cyberbullying. The study stated social comparison at an adolescent age remained normal, yet media severely increased the negative self-esteem process, and exponentially hurt younger users (Cataldo et al., 2021). Especially within the realm of David Molak's case, cyberbullying can oftentimes lead to detrimental outcomes, such as "reduced school attendance, the use of drugs

and alcohol,” and suicidal tendencies (Holden, 2017). Although David’s Law is an attempt to combat these characteristic traits in cyberbullying, the mental concern takes priority.

Discussion

Introduction to the Discussion

From these three main findings, it is clear that not only is media harmful to adolescent behavior, but oftentimes leads to a substantial increase in the cyberbullying phenomenon. An attempt to combat this led to David’s Law, but significant drawbacks affect the security of the law as a whole. These drawbacks include but are not limited to differences among state legislation, mental issues in regards to cyberbullies, and an overall lack of effective punishment for cyberbullies. In this research, multiple patterns emerge regarding the theme of cyberbullying and legislation efforts. In sum, these patterns include: 1) the socioeconomic status of certain districts affecting the amount of work done to apply legislation efforts, 2) an overall lack of research dedicated to the greater issue of cyberbullying attacks, and 3) the severity of cyberbullying remaining high, despite legislative efforts.

Socioeconomic Status of Education.

One theme that the research suggests is that the socioeconomic status of certain districts severely affected how much work school districts and other individual organizations put into the prevention of cyberbullies. School districts when under financial pressure may fail to follow state bullying and cyberbullying laws due to the overarching issue that funding entails, or the absence of state oversight (Lynch, 2016). It is fair to assume that when districts in the Texas area have an extremely limited budget, staff, and programs, they are less worried about outside cyberbullying protocols and more concerned about basic necessities.

School districts oftentimes are looking for graduation rates, and high SAT scores... more quantitative measures that they would relay to school boards and state affairs. In this way, wealthier districts have lower cyberbullying rates compared to other, less-wealthy districts simply due to financial comparisons. In a Texas district study on whether individuals felt David's Law had been properly implemented, only 135 of 262 respondents believed it was successful, or about 51 percent (Topping, 2021, p.142). A graph of this data is shown in the Appendix section as "Figure 1." Most of the school districts that had higher budgets reported positively, and vice versa, further showing disparities (Topping, 2021, p.142).

Another factor to consider within the realm of financial comparisons is within the populations. Adolescents from low socioeconomic backgrounds may have a much more difficult home life and poor family relationships, leading to a reduction in the ability and necessity to develop good peer and youth-parent relationships (Ronis, & Slaunwhite, 2019). Even more present is those who not only are in low socioeconomic situations, but have multiple identifying characteristics such as being an ethnic minority, as they are even more victimized (Topping, 2021, p. 62). In a combination of both financial hardship and bias-based cyberbullying, laws such as David's Law may not be as beneficial as the legislature suggests.

Insufficient Research.

Yet another theme suggests that there is a serious pattern of not researching cyberbullying and laws effectively. There has been general improvement over the last few decades concerning research, yet more can be done. While every state has ways to address cyberbullying, it remains extremely difficult to use real-world research in support of David's Law (Topping, 2021, p.76). To obtain meaningful research on the effects of cyberbullying on a national level, national surveys would need to be properly researched.

While bullying, including cyberbullying, is well known in today's society due to its general prevalence in adolescent behavior, there are virtually no research studies about this phenomenon (Topping, 2021, p.95). Many efforts have been made to both understand and describe it, yet quantitative research remains limited. There is research on characteristics of a cyberbully, yet any research on David's Law and legislation efforts is virtually non-existent. Thus, adolescents are able to get away with online bullying.

Severe Cyberbullies and Usage.

The third main theme that exists within this study is the severity of the cyberbully at hand, and how an adolescent who bullies others may further harm not only others, but themselves, even with the implementation of David's Law. Media outlets like Facebook and Instagram promoted introverted adolescent tendencies by allowing for cyberbullying.

First, traits that exist in a "cyberbully," or as Schenk et al. (2013) noted, one who acts in an intentional way "with the purpose of harming someone that utilizes technology such as the Internet and cell phones" are significant to understand (p.1). Schenk explained that cyberbullies act with the intention of harming peers and/or strangers online, with the protection of a screen between the victim and the cyberbully. The article went on to explain that cyberbullies had not only aggressive traits and problematic legal tendencies, but also narcissistic tendencies. Furthermore, "a significant positive relationship" found "narcissism levels and smartphone addiction" coincided (Hussain et al., 2016, p.10). Thus, Schenk et al. (2013) went on to say adolescents engaging in unhealthy amounts of screen time remained more narcissistic, leading to increased cyberbullying. Also noted, cyberbullying had a lot to do with the "distance and anonymity towards the victim(s) involved" (Stodt et al., 2016, p.29). From this research we can

conclude that the more time spent online, the more detached adolescents become with society, and the more adolescents interact negatively with others online.

Summary

In 2017, the Texas legislature took a step towards betterment and created David's Law in an attempt to combat cyberbullying in school systems. Research showed multiple studies to see the seriousness of cyberbullying for adolescent brains, and how to best combat cyber issues following David's Law.

The findings section of the study first introduced all research that took place, and overviewed three issues involving both media in adolescents and legislation efforts. These issues in cyberbullying in Texas included the lack of consequences that those involved in the act face, state laws varying from one another to create inconsistency in what is legal, and public school systems as well as the general public not taking mental health issues as seriously as the more obvious physical health. From these three issues, three main themes emerged: 1) the socioeconomic status of states and districts are vast, leading some school districts to take cyberbullying policies more seriously than others, 2) there is an incredible lack of research on cyberbullying in totality, including what laws are in place and their effectiveness, and 3) the overall severity of cyberbullying in adolescents only grows as the use and access to media increases. It is in this next section that recommendations to combat these issues and themes will be described.

Recommendations

Introduction to the Recommendations

Although the study gives negative overall feedback concerning the implementation of David's Law as it applies to Texas school systems, much can be done to solve the issue at hand, given through recommendation efforts. No solution will completely erase the problem at hand, but there are substantial ways to decrease cyberbullying among adolescents and help the mental wellbeing of future generations. First and foremost, additional policies should be put in place to make cyberbullying punishments a more widespread offense, as noted in the first subheading of this section. Smaller, but still significant recommendations are included as subheadings following "Effective Policies." Limiting the overall time spent online for young users will benefit in decreasing cyberbullies. Additionally, recommendations including a program that limits certain phrasing and training may aid in the progression of the cyberbullying phenomenon.

Effective Policies.

The largest and most beneficial recommendation to solve the issue of cyberbullying and legislation efforts in Texas public school systems is to further the implementation of David's Law and create a more widespread law. This could be on the national, federal level, or otherwise. The mere fact that there is a program or policy in place in a school district does not require it to act effectively, and analyzing David's Law to rework a larger policy may be recommended (Topping, 2021, p.181). The state of Texas should thus begin to revise the law to create guidelines the nation may develop. The law should be more specific to what cyberbullying is, as well as working to see if classifying the act should still be considered a misdemeanor. Research should be done so this law can expand in the most realistic and positive way.

Time Limitations.

Another recommendation to solve the issue of cyberbullying and legislation efforts in Texas public school systems is to limit the screens available and the overall time spent on media

outlets for adolescents. There are obviously constraints here, as it is not legally possible to limit users from interacting with online platforms. Another constraint for this recommendation is given the United States First Amendment rights, as freedom of speech may affect how to limit adolescents' words online.

App or Program Creation.

Another recommendation is the inclusion and creation of an app or system that would limit certain words and/or phrases in online platforms. This would require much research on the effectiveness of a program or app, yet it is worthwhile to recommend, as it may limit the words cyberbullies use. There are constraints to this recommendation as well, as this program would need to not only be allowed by media companies (such as Facebook and Instagram). Also, the First Amendment rights come into play in this recommendation as well as the previous one, as it cannot limit the speech freedoms that come with online users. There should be avoidance in offending any and all First Amendment rights in this scenario. But, this recommendation may limit phrases, pictures, and other ways that cyberbullies use media to promote negativity.

Training in Multiple Aspects.

Training should also be a top priority to combat cyberbullying and help in the progression of David's Law. Thus, the addition of "bullying and cyberbullying to teachers' continuing education programs" should be worked into the ongoing teacher knowledge and awareness, as it is becoming more prevalent with each student body (Topping, 2021, p.183). Not only for teachers, though, the entire community should work to become knowledgeable on the topic of cyberbullying. Educating the community, most prominently the parents of the community, is critical, as many are simply unaware of the tell-tale signs that an adolescent is being bullied or is becoming a bully to others (Topping, 2021, p.183). Both the culture of the school and the

community should promote anti-bullying themes so that children in the Texas area (and other areas spanning the nation) see positive behavior and respond positively. In this area, constraints would include community members who do not want this type of interaction, as most of the community would have to be on board for this recommendation to succeed.

Implementation

Introduction to the Implementation

Now that specific suggestions for recommendations have been made and addressed, it is time to put these recommendations and implementation efforts to the test. Adolescents must feel the adequate safety and security both online and in school systems, and it is society's task to properly implement these goals. There were multiple suggestions offered to help address the cyberbullying problem in the nation and specifically within Texas public schools. The recommendation that seems most relevant to implementation efforts is policy updating in regards to David's Law.

Implementation Efforts

First, as with any law, there must be enforcement in the form of mechanisms, or the intentions of passing the law will be followed over time by significantly mediocre results. Any state can pass any law, but enforcement through multiple facets is required. Thus, parents, teachers, students, legislative staff, and screen-monitoring techniques must be involved to make sure that the policy and law in Texas is revised to better suit the community as it relates to cyberbullying. The framework should include "regular oversight and assessment of the program and the institution of consistent procedures for prevention and intervention" (Topping, 2021,

p.183). Compliance with the law and regularly-scheduled follow ups to ensure the law is acting in order is also required.

Once the law is revised, a board should be gathered and implemented so that the results are not once again lost in the grand spectrum of issues such as socioeconomic status. No matter the funding situation of a district, the board created should regularly make sure all required information and tools are ready for use when the time comes.

It will likely take a year or two to ensure that the law is updated to accurately reflect what is necessary to combat cyberbullying. Then, it will likely take another year to assemble a review board to monitor the law and the communities at risk. There will likely be financial costs in the creation and implementation of a board, as well as time dedicated to the program itself. The community should be open to paying for this to occur, possibly added into the taxes associated with schooling efforts. This timeline and budget must be flexible so that there is no room for the rushing of steps. It is once again society's job to aid in adolescent development as it relates to safety protocols. It is also significant to note that, specific to me as a student, this policy procedure in changing the law to better suit the needs of adolescents will hopefully aid in the future as a whole, but may not.

Conclusion

Cyberbullying and bullying in general has existed for a substantial length of time now, and includes a history not only for the media, but for adolescents and their responsive behavior. It includes a greater social justice issue as well, often motivated by young users who feel emotionally and socially differentiated. Cyberbullying applies not only to the Texas public school systems, but to any and all public schooling nationally (Topping, 2021, p.180). David's

Law was an essential step towards the betterment of the use of social media as it relates to cyberbullying, even if the implementation is not fully beneficial long-term.

This study was undertaken to not only describe the multiple issues within the issue of cyberbullying, but to notify readers of the themes that emerge within David's Law as it relates to the Texas school system. Given the multiple issues cyberbullying allows for, including general lack of punishments it permits, there are main themes that emerged and were discussed in depth. While it is not expected for bullying online to completely vanish, "it is within the realm of possibility that it can be greatly reduced in Texas public school districts" (Topping, 2021, p.184).

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Appendix

Figure 1:

Table 2

Met Req Frequency

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	0	127	31.4	48.5	48.5
	1	135	33.3	51.5	100.0
	Total	262	64.7	100.0	
Missing	System	143	35.3		
Total		405	100.0		