

The Urgent Need for Child-Centered Artificial Intelligence Policies: Protecting & Respecting the Rights and Well-Being of America's Youngest Generation

Executive Summary

Artificial Intelligence and America's Youngest Generation

Never before in all of human history have the sleek threads of technology been so tightly woven into the tender fabric of a child's daily existence. In the arena of technology and artificial intelligence, where innovation and implementation are developing at extraordinary speed, children and youth are being presented with extraordinary opportunities for learning and entertainment as well as substantial risks to their well-being and rights.

Lawmakers across the country at the local, state, and federal level have started in earnest to release frameworks for responsible AI. Yet, as on so many issues, these overarching policy frameworks neglect to consider and prioritize the perspective of children and youth. It is rare that their perspectives are mentioned, let alone included from design to implementation. This is not an issue where the perspective of children and youth can be left by the wayside.

AI is already being incorporated into the public systems that millions of American children interact with on a daily basis – including public education, healthcare, foster systems, juvenile justice, immigration, and more. The stakes for children and youth are enormous. Within each of these government systems, decisions are made that influence the life experiences and futures of nearly all American children, including some of our nation's most vulnerable youth. While AI holds potential to achieve outcomes that benefit children and youth, it must be utilized in an appropriately limited and regulated manner.

The decisions policymakers make today will deeply and permanently affect the trajectory of child and youth rights and well-being. Unlike other demographic groups, children under 18 don't get a say at the ballot box to guide policy decisions. It is precisely because this demographic lacks any electoral voice of accountability that involving them in the AI policymaking process becomes paramount. The National Center for Youth Law is dedicated to centering the experiences and advancing the interests of children and youth in how AI is used in the public sector.

Risks & Opportunities Of AI For Children

AI presents novel issues for policymakers with respect to the use of AI by children, how AI models use information pertaining to children, and how AI models impact decisions about children.

For example, AI technology is already ["fueling a new bullying outrage,"](#) private equity is using AI to monetize the ["educational journeys of tens of millions of children,"](#) and [AI-created disinformation and](#)

[conspiracy videos are being surfaced by algorithms as educational content](#) for kids. The promise of AI, on the other side of the policy ledger, includes innovations such as the creation of [wearable devices](#) to assist children and others with disabilities, as well as [the use of chatbots to help youth struggling with their mental health](#) that entails both opportunities, and risks. While this greatly expands access to mental health support, we as a society do not understand the consequences of a child's primary bond for mental health support being with AI rather than a human.

In sensitive domains and other systems, there is a heightened need to ensure that AI implementation is aligned with ethical principles that prioritize the well-being and rights of children, with a focus on minimizing harm and promoting equity. The use of AI in systems that so deeply affect the lives of children – from what they learn to who raises them to the medical care they receive to what data is sold or circulated about them to even their very liberty and freedom – raise serious ethical considerations, especially regarding the potential to perpetuate biases and inequalities. We must not delegate human care or decision-making to AI.

It is crucial for stakeholders to carefully evaluate the potential risks of AI implementation and ensure that safeguards are in place to mitigate those risks, allowing us as a society to embrace the opportunities of AI in a responsible, ethical, and rights-respecting manner.

Elevating the Perspectives of Children And Youth

The humanity-benefiting potential of AI cannot be realized until we have a child-centered and human-centered approach. This requires both developers and deployers of AI, as well as policymakers, to learn directly from and look through the eyes of children and see what living and thriving look like for that generation in the digital age.

In the realm of AI, after all, children and youth are consumers, creators, aggregated data points, and more. Their all-encompassing experience with AI now and in the future sets them apart from any other demographic in history in America, making their perspective priceless in policy debates. As a guiding star in the debate over AI regulation, children and youth must be meaningfully consulted and informed throughout the policymaking process.

Key Recommendations

To realize the potential to humanity of these technological innovations and the power it has to help children reach their full potential, guardrails must be in place. We must ensure that AI in child-serving systems uphold ethical standards, that we safeguard against potential risks and mitigate negative impacts, and that we provide for responsible development toward the incredible promise of AI to transform and improve children's lives. To that end, a wide range of stakeholders, including technology leaders, policymakers, advocates, ethicists, legal experts, and representatives of affected communities, should work towards:

1. Federal laws and regulatory frameworks explicitly centered on protecting and respecting children and youth in the AI ecosystem

2. Processes by which children and youth can have a meaningful role in shaping public policy with respect to the AI ecosystem
3. Thorough testing of AI algorithms for biases, transparency in AI decision-making processes
4. Ongoing monitoring and evaluation of AI's impact on children within these systems, and
5. Assessment of the fairness, accountability, and transparency of AI decision-making processes within government systems

Effective regulation must go beyond mere rhetoric; it must be comprehensive, proactive, rooted in principles of child safety and rights (including privacy), and give America's youngest generation a seat at the table and center their experiences and hopes for the future.

Conclusion

The opportunities AI presents to advance human understanding and experience are immense — beyond imagination. AI has the power and perhaps near-infinite potential to change the human experience. Despite the risks and challenges presented in this report, policymakers should neither resist nor fear the deployment of AI technology, even across sensitive domains impacting the rights and well-being of children. Instead, action is required now.

Stakeholders must address the ethical implications of AI algorithms perpetuating biases and inequalities, particularly in the context of sensitive domains such as child welfare, juvenile justice, healthcare, education, and immigration. Privacy must be safeguarded, particularly for children and youth who will experience the lifelong impacts of these systems at a level unprecedented in human history. All stakeholders must view youth as thought partners in solving the problems they face and treasure their unique perspectives and contributions.

The National Center for Youth Law commits to asking young people impacted by these different systems what they want and to centering their priorities and experiences as we craft policy approaches. The stakes are high, the risks and opportunities are great, and it is necessary to act now in partnership with children and youth. By working together, with those whose lives will be forever intertwined with this technology, we will develop regulatory and legal frameworks that create a safer and more inclusive online environment for our children, protecting and respecting their rights — now and in the future.