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**COMMENTS IN SUPPORT OF 16-H 7675 – PROTECTING STUDENT PRIVACY ON  
SCHOOL-OWNED TECHNOLOGY  
March 16, 2016**

The ACLU of Rhode Island supports the creation of critical privacy protections for the use at-home use of school-owned technology by students.

In recent months, many of Rhode Island's school districts have begun issuing laptop computers and tablets with the expectation that they will be used in students' private homes. Since these programs began, the ACLU has received complaints from a number of parents concerned they are expected to waive any and all privacy rights in exchange for the devices, with no opportunity to opt-out of the program or bring their own devices.

Some districts explicitly state that the devices are only for school use, while others encourage students – and their parents – to use the devices for personal endeavors, within reason. At the same time, many districts have been informing students they have “no expectation of privacy” regarding the devices, which can be searched at any time and for any reason. This often includes extremely concerning “remote access” of the computers by school districts. As you may know, in 2010 the families of two students successfully sued a Pennsylvania school district after school officials remotely activated the camera on school-issued computers and observed the students in their home. Despite nationwide outrage over this event, some of the local school district policies we have examined not only do not prohibit that kind of behavior, but in some instances appear to explicitly sanction it.

Regardless of the school policy, it is highly likely that many students – most of whom have not yet been educated as to what an “expectation of privacy” even is – are going to use the laptops to some extent for personal use at home. This may include surfing the Web, logging in to social media, taking photos with the laptop camera, sending email, or a host of other benign behaviors. This activity may expose far more information about a student than can be found in their backpack or locker at school, and deserves protection.

All Rhode Island students should have some expectation of privacy regarding the information that is stored on a computer that is intended for use in the private home, even when provided by the school. In the same vein, the right of the school or school district to inspect the devices should be limited only to those situations in which there is reason to believe that the student has engaged in school-related misconduct, or that there are technical difficulties with the device; indeed, we can think of no other reason a school official would need such access. This legislation puts those kinds of privacy protections in place, ensuring that schools have the ability to search the devices when necessary but not to engage in the kind of 24/7 surveillance currently possible. As such, the ACLU of Rhode Island respectfully encourages passage of this legislation.