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ACLU OF RI POSITION: SUPPORT

TESTIMONY ON 23-H 5561 AN ACT RELATING TO EDUCATION – STUDENT PRIVACY ON SCHOOL-OWNED TECHNOLOGY March 2, 2023

The ACLU of Rhode Island strongly supports this critical bill which would provide certain privacy protections for students using school-loaned computers. The importance of this legislation has only been reinforced by the prevalence of virtual learning during the COVID-19 pandemic, and it has become clear that protecting student privacy requires a comprehensive approach that ensures privacy in a few key arenas. This bill would accomplish a critical component of that, and would provide uniform and consistent statutory standards restricting the remote accessing of the camera or microphone or the utilization of location-tracking programs on the school-loaned device by school officials.

Our Affiliate has been focused on protecting student data and school-loaned computer privacy for years. In 2017, we released a report which indicated that most districts allowed school officials to remotely access students' school-loaned computers, including the camera or microphone, with no warning, leaving students and their families with no expectation of privacy whatsoever. Unfortunately, our most recent study in 2020 indicated the same. As of that year, **67% of districts** gave themselves the right to access the camera or microphone on a school-loaned device at any time. **89% of districts** had no limits on the school's ability to track the location of these devices. Considering the proportion of education that has occurred within the private home over the past few years, these are extraordinarily harmful policies that could facilitate and allow for massive encroachment on student and familial privacy.

Despite public attention to these issues, policies among the districts remain far from uniform and still often fail to give sufficient attention to these basic privacy concerns. But families' privacy rights should not vary from community to community, which is why we believe the General Assembly should act to codify strong protections for them. This legislation would do so.

Over recent years, and especially with an uptick in the proliferation of school-loaned technology, we have heard from many parents who have deep concerns about their students' privacy and who have been met by resistance from their school administrators. Passage of a bill on this subject would clarify and ease the concerns that we know have escalated over the past few years with the intermingling of private student and family life and education and is critical as a proactive and pragmatic measure for future educational technology. We strongly urge your support for this legislation and providing sorely needed privacy protections to students and families alike. Thank you for your consideration.