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**TESTIMONY IN SUPPORT OF 19-S 549,
RELATING TO SCHOOL COMPUTER PRIVACY
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The ACLU of Rhode Island strongly supports this legislation, which addresses the important privacy issues implicated by the increasing distribution of school-owned computers to students, and the at-home use of this technology.

The laptop computers and tablets that are being issued to students are being given with the express expectation that they will be used in their private home. Some districts have explicitly stated that students are to use the laptops only for school use, while others encourage students – and sometimes their parents – to use the devices for personal endeavors, within reason. 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.

Two years ago, we issued a report showing that many school districts in the state give themselves the right to remotely spy on students through the use of school-loaned laptop computers – including the computer’s webcam and microphone - at any time, and for any reason.

Our privacy concerns are not hypothetical. You may recall a widely publicized case some years ago involving a Pennsylvania school district that surreptitiously took more than 50,000 screenshots of students via remote access to the webcams of their school-loaned laptops. Given this and other important issues, we believe it is critical that Rhode Island adopt a standard policy to protect the privacy of students and their families.

In addition to raising concerns about the authority school officials give themselves to remotely access the laptop’s webcam and microphone, our report identified several other related troubling trends:

- In loaning students the laptop computers or Chromebooks to use at home, school districts require students and parents to acknowledge they have no expectation of privacy whatsoever regarding the device at any time – even if students are allowed to use it for non-school reasons and parents are encouraged to use it too.
- Most school district policies allow school officials to remotely access and or search the content of the devices at any time – including files, web history and other information – in the absence of any suspicion of misconduct.

Although several parents have advised us that they wished to opt out of the technology program over these concerns, they have had no choice but to participate. As a result, they have felt coerced into signing away their child's privacy rights.

School officials simply should not have the right to use a computer lending program as an excuse to spy on families in the privacy of their own homes. In order to protect those rights, this bill would establish uniform standards for school districts who participate in 1 to 1 programs. It restricts remote access to the content of the devices, bans remote activation of the computers' webcam or microphones, and implements standards for searches that are based on reasonable suspicion of misconduct.

Rhode Island has recently recognized the importance of student privacy. Three years ago, the General Assembly passed a law prohibiting schools or school officials from requiring, coercing, or requesting a student's social media information. Yet several district policies regarding their 1:1 programs are in tension with that law. Since this bill would help further strengthen the privacy rights of both students and parents, we strongly urge your support of this bill.

