



AMERICAN CIVIL LIBERTIES UNION

Minnesota

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March 18, 2022

Rep. Ruth Richardson, Chair  
Education Policy Committee  
Minnesota House of Representatives

***SUBMITTED VIA E-MAIL***

Dear Chair Richardson and Members of the House Education Policy Committee,

The American Civil Liberties Union of Minnesota submits this letter in support of HF341, the Student Data Privacy Act.

The ACLU-MN urges this committee to pass HF341. This bill is the result of several years of intensive, bipartisan work, and takes a meaningful step towards protecting the civil liberties of Minnesota's students.

Technology is developing and being deployed far more rapidly than our laws can keep up with. Student information that used to be kept on paper in a locked file cabinet can now be collected, maintained, and even sold by third-party technology providers. In addition, increasingly powerful technology makes it easier and easier to conduct warrantless surveillance by secretly tracking a student's location, seeing into a student's bedroom via a webcam, or even flagging a student's body language as "suspicious."<sup>1</sup>

Increased surveillance of students can disproportionately impact low-income students, who may be more reliant on school-issued computers or other devices. It can also perpetuate and even exacerbate already-existing disparities in school discipline, which disproportionately harm BIPOC students.<sup>2</sup>

HF341 constitutes an important and critical move toward protecting students' data privacy in Minnesota. Just because technology can infringe on Minnesotans' civil liberties, does not mean that it should.

Sincerely,

Julia Decker  
Policy Director  
ACLU-MN

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<sup>1</sup> See, e.g. EFF, "Students Are Pushing Back Against Proctoring Surveillance Apps," <https://www.eff.org/deeplinks/2020/09/students-are-pushing-back-against-proctoring-surveillance-apps>, Sept. 25, 2020.

<sup>2</sup> See, e.g. Brennan Center, "The Hidden Costs of High-Tech Surveillance in Schools," <https://www.brennancenter.org/our-work/analysis-opinion/hidden-costs->, Oct. 17, 2019.