



AMERICAN CIVIL LIBERTIES UNION

Minnesota

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May 2, 2022

Sen. Roger Chamberlain, Chair  
Education Finance & Policy Committee  
Minnesota Senate

***SUBMITTED VIA E-MAIL***

Dear Chair Chamberlain and Members of the Senate Education Finance & Policy Committee,

The American Civil Liberties Union of Minnesota submits this letter in support of SF2307, the Student Data Privacy Act.

The ACLU-MN urges this committee to pass SF2307. This bill is the result of several years of intensive, bipartisan work, and received unanimous support from the bipartisan, bicameral Legislative Commission on Data Practices. SF2307 takes a meaningful step towards protecting the civil liberties of Minnesota's students, and ACLU-MN looks forward to continuing to work on improving and strengthening these protections in the future.

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>

SF2307 constitutes an important and critical move toward protecting students' 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.