



128 Dorrance Street, Suite 400
Providence, RI 02903
Phone: (401) 831-7171
Fax: (401) 831-7175
www.riaclu.org
info@riaclu.org

ACLU OF RI POSITION: SUPPORT/AMEND

TESTIMONY ON 26-H 7895, RELATING TO EDUCATION – SAFE SCHOOL TECHNOLOGY ACT OF 2026 April 2, 2026

The ACLU of Rhode Island supports this legislation because we strongly support strengthening and standardizing privacy protections for school-issued student devices. The importance of strengthening school-loaned device privacy has only been reinforced by the prevalence of virtual learning that has occurred since the COVID-19 pandemic, and it has become clear that protecting student confidentiality requires a comprehensive approach and uniformity between school districts.

We do, however, wish to offer preliminary comments about some specific bill provisions, while we continue to analyze this legislation. They are as follows:

- Because we have long advocated for increased school-loaned device privacy safeguards, we would urge this legislation be amended to incorporate additional restrictions contained in H-7032, introduced by Representative Speakman, and which the House has passed in recent years. The Safe School Technology Act commendably instructs schools to “disable the camera to decrease cyberbullying opportunities and the sharing of sensitive imagery.” §16-117-2. However, the bill makes no reference to the use of, or access to, the computers’ microphones or audio capabilities. We would therefore urge this legislation to include the increased restrictions contained in Rep. Speakman’s separate school-loaned device privacy legislation.
- We note that a statute enacted by the General Assembly back in 2014 was similarly designed to prevent the commercial use of student data generated electronically. See R.I.G.L. §16-104-1. Given the rapid evolution of technology, that statute may warrant review and modernization and further incorporation into this more comprehensive bill to ensure that current privacy concerns are being fully addressed.
- Additionally, this legislation gives the attorney general the power to review legal compliance for these instructional technologies. At this stage, we are unsure that this office is the appropriate place for compliance review. At a minimum, we would urge the additional inclusion of a provision that would allow a private cause of actions for

individuals to contest privacy violations rather than relying solely on enforcement by the attorney general.

There is a lack of uniformity in establishing privacy protections for school-loaned devices. In 2020, our affiliate released a report that showed that **67% of school districts** gave themselves the right to access the camera or microphone on a school-loaned device at any time. **89% of school districts** had no limits on the school's ability to track the location of these devices. 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 as this bill seeks to do.

We hope these preliminary comments are helpful and will be carefully reviewed. Thank you for considering our views.