

HIDDEN HARM

SUMMARY

The Misleading Promise of Monitoring Students Online

The role of technology in students' lives has grown considerably, with nearly every school continuing to give devices to students in the past school year. The responsible use of this technology has the potential to improve outcomes for students, but only if student privacy is protected and groups of students are not disproportionately harmed.

“The school's purpose is to teach me, not to monitor what I'm doing and make sure I'm a good person.”

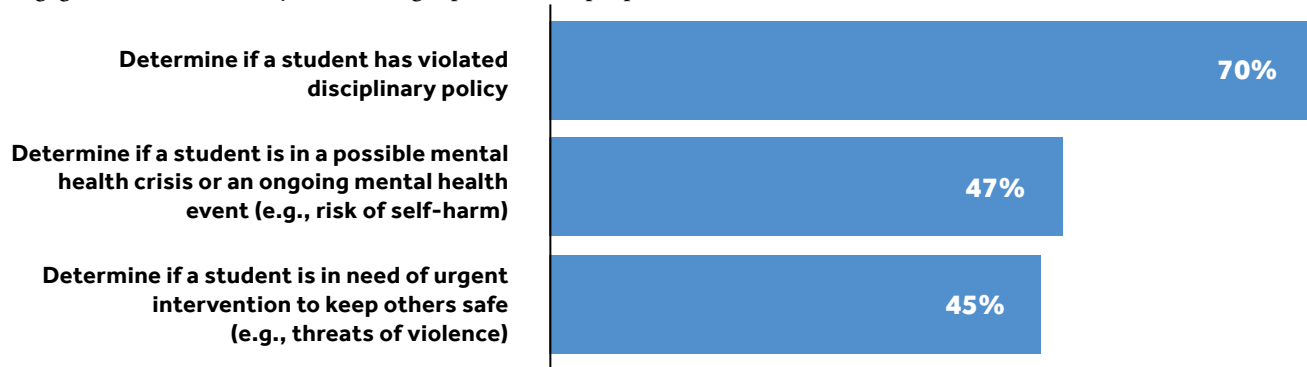
— High school student

Recent survey research by the Center for Democracy & Technology (CDT) reveals that the practice of tracking and flagging students' online activities via monitoring software does not meet this standard. Although the practice is nearly ubiquitous — with **89 percent** of teachers reporting that their school uses monitoring technology (up five percentage points from last year) — it causes significant harm to the students it is meant to protect.

STARTS WITH STUDENT SAFETY BUT ENDS WITH DISCIPLINE

Parents and students show the strongest support for student activity monitoring when it is used to keep students safe, in particular to stop students from harming themselves or others. However, that is not how student activity monitoring is most commonly used.

Seventy-eight percent of teachers whose school uses monitoring software report that students at their school have been flagged by monitoring software for disciplinary action, compared to only **54 percent** of teachers who report that monitoring software has been used to refer students to a counselor or other qualified adult for behavior-related interventions. Indeed, discipline appears to be the predominant intended purpose. Teachers whose school or district engages in student activity monitoring report that its purpose is to ...

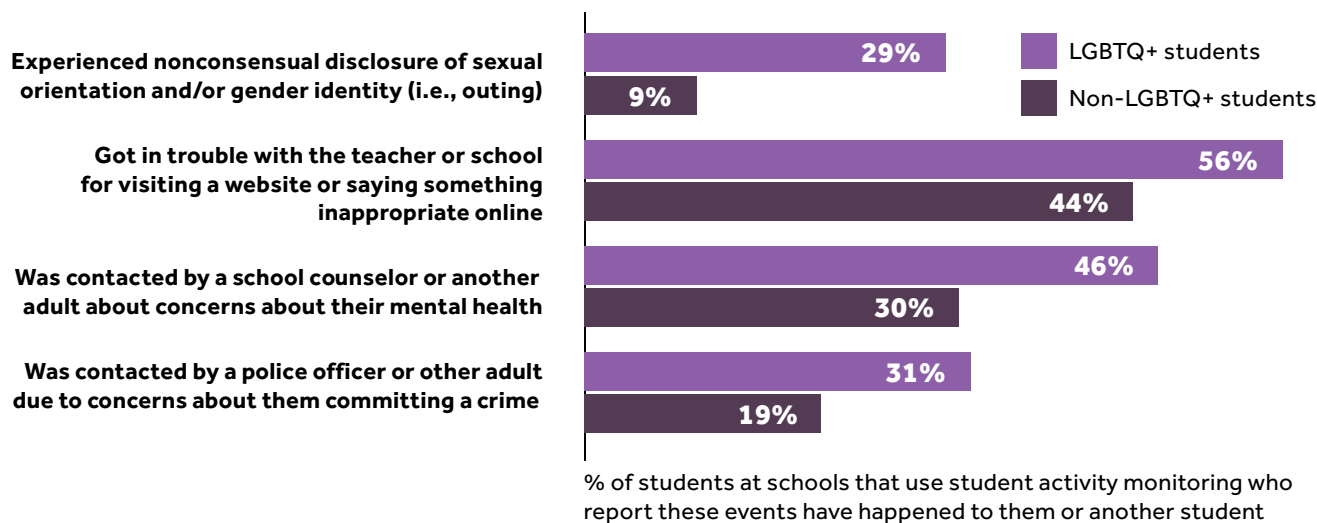


% of teachers who report that their school or district uses student activity monitoring for this purpose

HARMS TO STUDENTS ARE REAL AND HAPPENING NOW

CDT’s research highlights how student activity monitoring is adversely affecting students at schools that use this technology:

- Approximately **half of students** are not comfortable expressing their true thoughts and feelings online when they know they are being monitored; this proportion jumps to more than **6 in 10** among students with a learning difference or physical disability.
- **44 percent** of teachers report that student activity monitoring has led to students being contacted by law enforcement, likely in part because **37 percent** of teachers at schools that use student activity monitoring outside of school hours report that law enforcement directly receives alerts that are flagged after hours.
- **13 percent** of students report that they or someone they know has experienced nonconsensual disclosure of their sexual orientation and/or gender identity (i.e., “outing”) as a result of student activity monitoring. LGBTQ+ students feel the effects of student activity monitoring (including but not limited to being outed) more than their peers, as seen by the number of students reporting that they or someone they know:



MORE TRANSPARENCY AND ACCOUNTABILITY ARE NEEDED

For decades, federal and state governments have enacted and enforced protections for protected classes of people, including discrimination based on disability, race, and sex. As this research shows, these same groups of students need protection from the harms they are facing due to being monitored online and the actions that are being taken as a result. The U.S. Department of Education’s Office for Civil Rights should use its authority to issue a policy statement that these practices run afoul of Title VI, Title IX, the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act and to codify protections through its Title IX rulemaking process. The failure to specifically address the role of technology in explicit and implicit discrimination against protected classes of students will inflict harm on, and limit opportunities for, students for years to come.

Learn more by visiting:

<https://cdt.org/insights/report--hidden-harms-the-misleading-promise-of-monitoring-students-online/>