

LUCI & ANTHONY

FIGHT BACK!



HOW SCHOOL
SURVEILLANCE
HARMS STUDENTS



ABOUT US

THE NATIONAL CAMPAIGN FOR POLICE FREE SCHOOLS is co-convened by the Advancement Project and the Alliance for Educational Justice, and includes dozens of organizations from across the country. It is a formation of youth-led grassroots organizations fighting to end the criminalization of youth in the classroom, create liberatory educational spaces, and implement an affirmative vision of safety and transformative justice. As modern-day abolitionists, we believe in and organize for a world without prisons or police.

ADVANCEMENT PROJECT is a national racial justice organization committed to supporting communities fighting for Police Free Schools and working to ensure that our nation's children are cared for and provided the robust, liberatory education that they deserve. For 25 years, AP has documented and pioneered efforts to end the school-to-prison pipeline and fought for true education justice in our public schools.

THE ALLIANCE FOR EDUCATIONAL JUSTICE is a national alliance of over 30 youth-led and intergenerational grassroots organizations fighting to dismantle the school-to-prison pipeline.



INTRODUCTION

This zine workbook is a guide to help understand how surveillance is used to criminalize and police students at school, at home, and in their communities. As the National Campaign, we define school surveillance as the state, its agents, and the private sector's monitoring and interpreting of information and data to control, punish, criminalize, police, and profit off of our students, families, and communities.

Schools are increasingly using surveillance as a false solution for real issues that young people are facing – often with little evidence, oversight, or accountability. School surveillance is an over \$3 billion industry,¹ fueled in part by federal laws that provide grant money for schools to spend on keeping students “safe.”² Students and communities are surveilled so frequently, they are often in ways that are hard to see. The goal of this zine is to shed light on how surveillance is happening, why it is harmful, and to let you know of your rights so you are better equipped to fight back against the growing school surveillance state. It will take all of us organizing for real safety and supports to win!



WHY A ZINE?

Zines have a long history as publications made for and by the people.³ We wanted to use art to illustrate the ways students are harmed by school surveillance – and counter the dominant narrative that we need surveillance to make schools safe.

A DAY IN THE LIFE

MEET LUCI AND ANTHONY. THEY ARE SIBLINGS WHO LIVE IN AN APARTMENT WITH THEIR PARENTS AND THEIR CUTE DOG ZIGGY.



LUCI GOES TO A TRADITIONAL PUBLIC HIGH SCHOOL ON THE OTHER SIDE OF TOWN, SO SHE TAKES THE PUBLIC BUS TO GET THERE.



THEY ARE BOTH LOOKING FORWARD TO GETTING THROUGH SCHOOL TODAY BECAUSE TONIGHT THEY ARE GOING TO MEET UP WITH THEIR YOUTH ORGANIZING GROUP AND TALK ABOUT THEIR SCHOOL EXPERIENCES WITH OTHER YOUTH LEADERS.

ANTHONY IS IN MIDDLE SCHOOL. HE USED TO BE ABLE TO WALK 5 MINUTES TO HIS NEIGHBORHOOD PUBLIC SCHOOL, BUT SINCE THE SCHOOL DISTRICT CLOSED IT, HE NOW TAKES THE BUS EVERY DAY TO A TRADITIONAL PUBLIC MIDDLE SCHOOL THAT IS A 45-MINUTE WALK AWAY.



ANTHONY'S SCHOOL BUS STOP IS DOWN THE STREET FROM THEIR HOME.



LUCI HAS TO WALK A FEW BLOCKS TO GET TO THE BUS STOP TO CATCH THE BUS THAT GOES TO HER SCHOOL. ON HER WAY THERE, A CAR DRIVING PAST HAS A TIRE THAT BLOWS OUT.

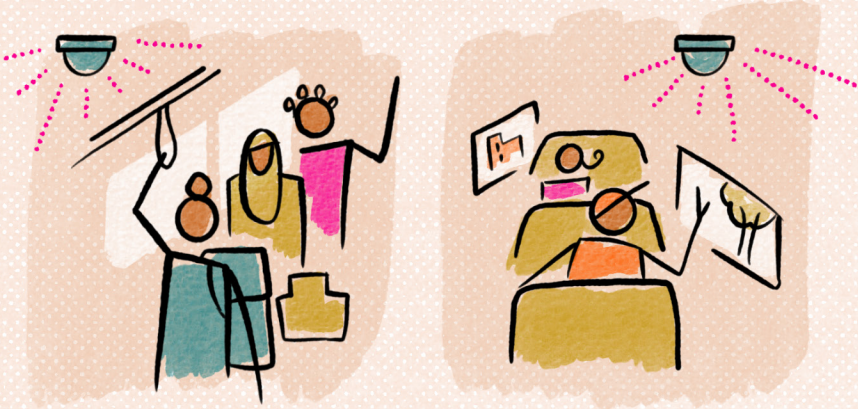
BOTH OF THEM PASS BY A SHOTSPOTTER MACHINE ON THEIR WALKS TO THEIR BUSES. THE ONE BY LUCI PICKED UP THE SOUND OF THE TIRE BLOWING OUT, AND ALERTED THE POLICE WHO CAME TO THIS STREET TO CHECK FOR "GUNFIRE." WHEN THE POLICE SAW THREE YOUNG PEOPLE, THEY DECIDED TO STOP AND FRISK THEM.

MORE ABOUT SHOTSPOTTER...

Shotspotter, now called Sound Thinking, is a gunshot detection device that is placed in neighborhoods to supposedly identify the location of gunfire and alert local police.⁴ Communities throughout the U.S. protest the use of Shotspotter, arguing that it **further criminalizes marginalized neighborhoods**. In Chicago, where residents are organizing to end its use, "more than 90% of alerts lead police to find no evidence to corroborate gunfire."⁵ In many communities, Shotspotter alerts are **used as justification for increased aggressive, harmful policing**⁶ – and there is at least one incident in which a Shotspotter alert led to the police killing of a young person.⁷

ON THE WAY TO SCHOOL

WHILE ON THEIR BUSES TO SCHOOL, LUCI AND ANTHONY ARE UNAWARE THAT THERE ARE CAMERAS WATCHING THEM.



THE CAMERA ON ANTHONY'S SCHOOL BUS IS MONITORED BY SECURITY GUARDS AT HIS SCHOOL DISTRICT.

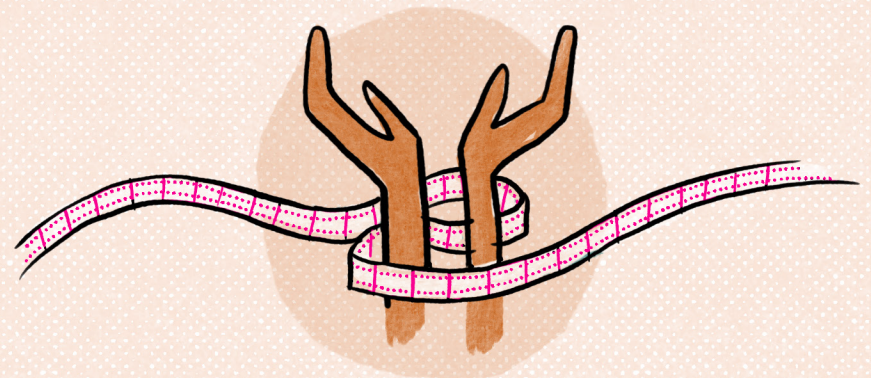


THE CAMERAS ON LUCI'S PUBLIC BUS ARE AVAILABLE TO BOTH THE TRANSIT AUTHORITIES AND THE LOCAL POLICE DEPARTMENT. ADDITIONALLY, BECAUSE THEIR CITY ALSO HAS A FUSION CENTER, OTHER LOCAL AND FEDERAL LAW ENFORCEMENT AGENCIES, INCLUDING IMMIGRATION AND CUSTOMS ENFORCEMENT, MAY BE ABLE TO ACCESS THAT FOOTAGE AS WELL.

MORE ABOUT CAMERAS...

Most public schools today have cameras. What they are used for, who has access to the footage, how long the footage is maintained, and what the school does with the video is usually not made clear to students or their families. One company that provides cameras for school buses claims they “help prevent bullying” and that the cameras are there “to address student discipline” issues.^{8,9} They also have the **potential to increase interactions with police** and thus the potential for harm, especially if law enforcement has live access to the footage. There are several new surveillance technologies that work by using software with existing cameras, which means the new tech could easily be adopted by schools.

Fusion centers are surveillance institutions that were created after 9/11 in the name of “national security” to provide local, state, and federal law enforcement agencies easily accessible information. Fusion centers are able to collect a wide set of information, including data from surveillance cameras and things like utility bills, and then share those across agencies, including ICE.¹⁰ Fusion centers “heighten the risk of being incarcerated, detained, or deported,” and organizers have pushed to abolish them.¹¹

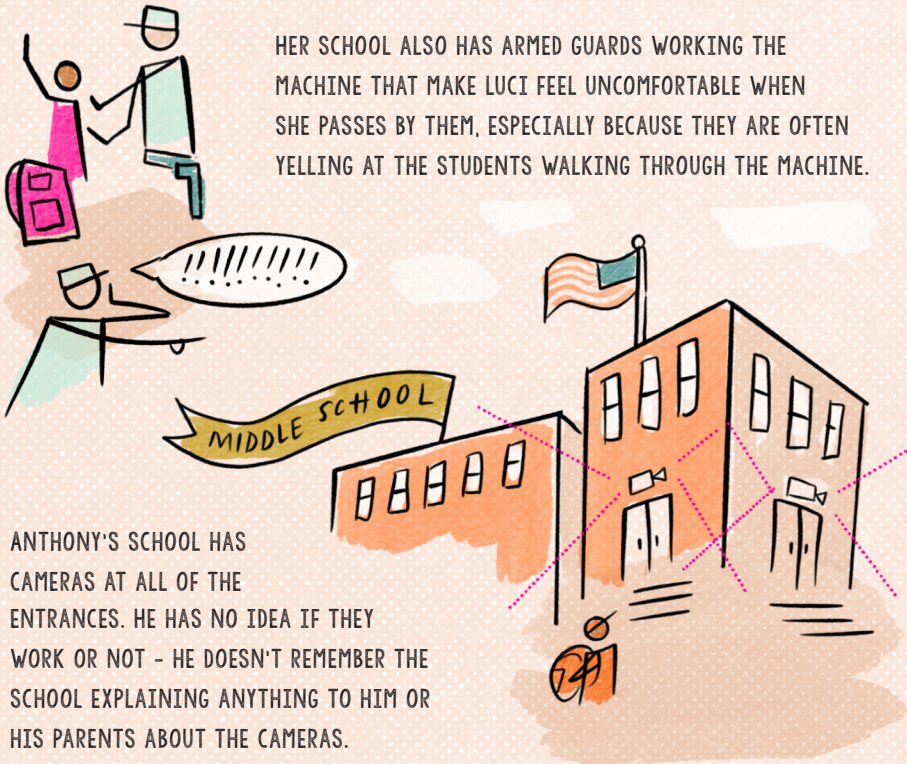


ENTERING SCHOOL

LUCI'S HIGH SCHOOL INSTALLED THESE "WEAPONS DETECTION SYSTEMS" AT THE BEGINNING OF THE LAST SCHOOL YEAR. SHE DOESN'T LIKE THEM BECAUSE IT TAKES LONGER FOR HER TO GET INTO THE SCHOOL BUILDING, AND SOMETIMES THE MACHINES MAKE HER LATE TO CLASS. SHE REGULARLY SEES STUDENTS GETTING SEARCHED BECAUSE OF "FALSE FLAGS," AND SHE HAS EVEN BEEN STOPPED A FEW TIMES - ONCE BECAUSE OF HER THREE-RING BINDER AND ANOTHER TIME BECAUSE OF A HAIR COMB.



HER SCHOOL ALSO HAS ARMED GUARDS WORKING THE MACHINE THAT MAKE LUCI FEEL UNCOMFORTABLE WHEN SHE PASSES BY THEM, ESPECIALLY BECAUSE THEY ARE OFTEN YELLING AT THE STUDENTS WALKING THROUGH THE MACHINE.



ANTHONY'S SCHOOL HAS CAMERAS AT ALL OF THE ENTRANCES. HE HAS NO IDEA IF THEY WORK OR NOT - HE DOESN'T REMEMBER THE SCHOOL EXPLAINING ANYTHING TO HIM OR HIS PARENTS ABOUT THE CAMERAS.

MORE ABOUT "WEAPONS DETECTORS" & CAMERAS...

Two of the biggest companies selling 'weapons detection' systems to school districts are Evolv and Opengate. Both require the installation of machines at entrances that people walk through and use Artificial Intelligence¹² software to "detect" if the person is carrying a concealed weapon. A security guard or some other adult must be present to handle when the machine is triggered. Another company selling weapons detection systems is ZeroEyes, which works by using cameras with AI to supposedly 'detect' concealed weapons. There is **little evidence to prove that any of these companies' claims are true**,¹³ and we know that they don't actually address the root causes of gun violence.¹⁴ Weapons detection companies capitalize on school districts' need to address parents and families' fear of school shootings - companies **use that fear to make money off of communities** who just want their children to be safe in schools. Because security and/or law enforcement is usually involved in running the weapons detection system, it **increases the risk of students being searched and interacting with police**, often without meaningful consent. One company, Evolv, is being investigated by the Federal Trade Commission over claims that Evolv "misrepresented its technology and its capabilities."¹⁵

Some cameras may also incorporate facial recognition technology, which supposedly "works" by identifying faces in photos or videos and scanning them against a database of people. However, studies have shown that **facial recognition is notoriously inaccurate**, especially when identifying children, women, and people of color.¹⁶ Even if the technology did work as the companies claim, it is not only expensive but **can lead to negative, harsh, and unnecessary outcomes for students and families**. In one case, a student who had been expelled from his school couldn't attend his sister's graduation after he was recognized by facial recognition cameras and escorted out by the local Sheriff.¹⁷

IN CLASS

IN CLASS, LUCI WILL SCROLL THROUGH TIKTOK ON HER PHONE WHILE SHE WAITS FOR THE TEACHER TO START. SHE SOMETIMES TEXTS HER FRIENDS ABOUT WHAT THEY WILL DO DURING THE LUNCH PERIOD.



UNFORTUNATELY, SOMETHING LUCI JUST TEXTED HER FRIEND WAS PICKED UP AS AN ALERT, AND THE PRINCIPAL CALLS LUCI'S PARENTS TO TALK ABOUT WHAT SHE WROTE AND INFORM THEM THAT LUCI IS SUSPENDED THE NEXT DAY AND SHOULD NOT COME TO SCHOOL.

ANTHONY USES HIS CHROMEBOOK IN SOME OF HIS CLASSES. HE GOT THE CHROMEBOOK FROM HIS SCHOOL AT THE BEGINNING OF THE SCHOOL YEAR. HE DOESN'T KNOW (AND HIS PARENTS DON'T KNOW EITHER) THAT THE SCHOOL CAN SEE EVERYTHING HE DOES ON THE COMPUTER, WHETHER HE IS AT SCHOOL OR AT HOME.



MORE ABOUT STUDENT MONITORING...

Student device and social media monitoring is very common in schools today, with one study finding that 89% of teachers surveyed used software to track students' activity.¹⁸ Another federal investigation found that 43% of teachers surveyed reported that their schools use these tools to identify violations of discipline policies.¹⁹ Even though schools claim they monitor to protect students against bullying and harassment or to identify potential violence or self-harm, there is no evidence these programs work.²⁰ Not only is there **potential for false alarms** and students being targeted for their online behavior, they also can **prevent young people from fully being able to express themselves** out of fear of potential repercussions. In addition, this kind of monitoring also has the **potential of exposing personal information** that students may not want to share with others – such as their mental health needs or whether they identify as LGBTQ.²¹ While many school districts provide or require a consent form before giving a school-issued device to students, there is still often a **lack of awareness and transparency** about what is being monitored and how that information will be used by schools.²²

AROUND THE HALLWAYS

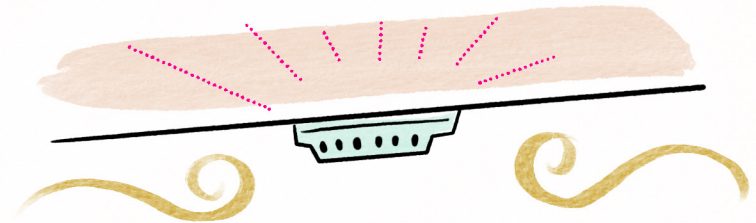
LUCI GOES TO USE THE BATHROOM DURING CLASS. IN ORDER TO GET PERMISSION TO GO, SHE HAD TO LOG ON TO THE SECURLY APP ON HER PHONE AND REQUEST AN ELECTRONIC HALL PASS. EVEN THOUGH SHE NEEDED TO GO URGENTLY, SHE STILL HAD TO WAIT UNTIL HER TEACHER LOGGED INTO THE SECURLY APP ON HER COMPUTER TO APPROVE LUCI'S REQUEST TO USE THE BATHROOM. SHE COULDN'T REALLY PAY ATTENTION TO ANYTHING THE TEACHER WAS TEACHING BECAUSE SHE WAS SO ANXIOUS ABOUT NEEDING TO USE THE BATHROOM.



LUCI CAN'T USE THE BATHROOM ON THE FLOOR OF HER CLASSROOM BECAUSE THE APP SAID IT WAS FULL, SO SHE GOES TO THE BATHROOM ON ANOTHER FLOOR. WHILE WASHING HER HANDS, SHE NOTICES THE WEIRD DEVICE IN THE CORNER OF THE CEILING AND HOPES IT IS NOT A CAMERA.

MORE ABOUT E-HALL PASSES...

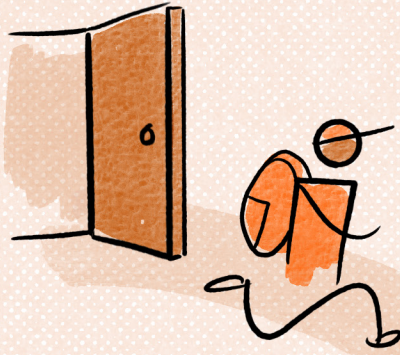
Some schools have adopted electronic hall passes – usually an app on a smartphone that a student must use in order to use the bathroom or do anything outside of the classroom.²³ There has been much criticism of e-hall passes in student petitions and student reporters covering the issue in their school newspapers.²⁴ At one high school in the Phoenix Union High School District in Phoenix, Arizona, students only get 3 hall passes a day, and if they are late for class, one is used up. There is also a time limit on how long they can go to the bathroom – some students have only 5 minutes. If they are not back before that time, the school sends a security guard to find the student in the bathroom.



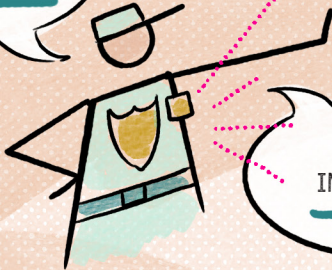
MORE ABOUT VAPE DETECTORS...

Some schools have also installed vape detectors in their bathrooms – devices that supposedly can detect when someone has used a vaping device.²⁵ Like other surveillance technologies, they can **increase student's contact with law enforcement**, especially if a school resource officer is the person designated with monitoring the alerts. They also do not address the root cause of why students vape – which is why some school districts take a comprehensive anti-vaping approach that incorporates counseling and resources on vaping and addiction.²⁶

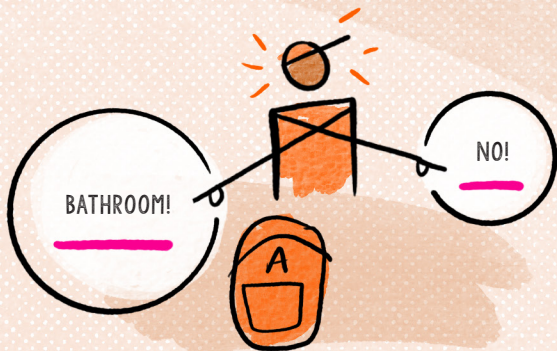
ON HIS WAY TO THE BATHROOM, ANTHONY IS STOPPED BY THE SCHOOL RESOURCE OFFICER (SRO), WHO YELLS "WHAT ARE YOU DOING OUT HERE?" AT HIM.



WHAT ARE YOU DOING OUT HERE?



ARE YOU IN A GANG?



FEARING FOR HIS SAFETY BECAUSE ANTHONY HAS WITNESSED THIS POLICE OFFICER HARASS OTHER STUDENTS THAT LOOK LIKE HIM, HE SHYLY RESPONDS THAT HE IS ON HIS WAY TO THE BATHROOM. THE SRO'S BODY WORN CAMERA RECORDS THE ENTIRE ENCOUNTER. THE SRO THEN LOOKS AT ANTHONY'S CLOTHES AND SHOES AND ASKS ANTHONY IF HE IS IN A GANG. ANTHONY SAYS NO, BUT THE SRO STILL DECIDES TO ADD ANTHONY TO THE GANG DATABASE.

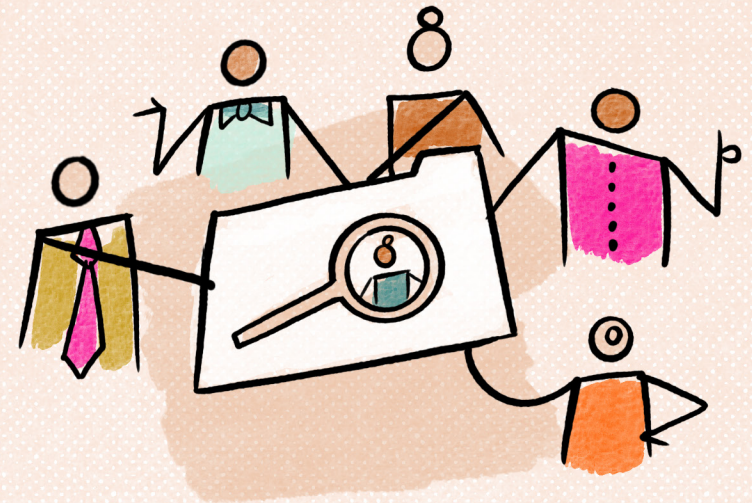
MORE ABOUT SCHOOL POLICE & GANG DATABASES...

Many schools across the country have police officers that work in the school, often called School Resource Officers. They are usually police that have the same powers to arrest and detain as regular police in the street. In some places, officers are assigned to work as SROs as their disciplinary 'desk duty.' Many police departments use body-worn cameras, although whether the public can freely access the footage they capture varies.²⁷ We know that **police in schools harm Black students and other students of color**, and that harm is extended when surveillance is also added into the mix.²⁸ To learn more about the history of school policing and the harms that students face when forced to interact with law enforcement, go to www.policefreeschools.org.

Some police departments keep "gang databases," in which they collect information about people they suspect to be gang members, often for things as trivial as wearing a specific type of sneaker or shirt color. Communities have fought against the use of gang databases, arguing that they **discriminate against people of color and can have devastating impacts on those identified in the database.**²⁹ Often, gang databases are shared across agencies, including federal law enforcement and immigration agencies, which would have the potential consequences of **putting students on the school to prison to deportation pipeline.** For example, Chicago Public Schools was one of the biggest users of the gang database in Chicago, having accessed it nearly 90,000 times according to a 2019 audit.³⁰ Chicago's gang database included children as young as nine.³¹ In another case in Boston, a young student who was falsely entered into the gang database by the school's SRO was picked up by ICE and scheduled for deportation.³²

MEETING WITH THE COUNSELOR

AT LEAST ONCE A WEEK, LUCI TALKS TO HER SCHOOL COUNSELOR. SINCE HER SCHOOL STARTED USING THE E-HALL PASS, SHE NOW HAS TO ASK PERMISSION THROUGH THE APP. SHE DOESN'T LIKE THAT SHE HAS TO TELL HER TEACHER SHE SEES THE COUNSELOR. LUCI SOMETIMES CONFIDES IN THE SCHOOL COUNSELOR, BUT SHE DOES NOT KNOW IF WHAT SHE TELLS THE COUNSELOR WILL BE KEPT CONFIDENTIAL.



THREAT ASSESSMENT TEAMS IN SCHOOLS

School counselors are sometimes part of the school's "threat assessment" team with other school personnel who "identify, evaluate, and address threats or potential threats to school security."³³ One study has found that going through the threat assessment process itself can be traumatic to a child.³⁴ One company sells a "behavioral and digital threat assessment" tool to schools.³⁵ By their very nature, threat assessments see students as potential threats and not young people in need of support. Through these threat assessments, a student seeking mental health support can become a target for criminalization while the students' personal information is shared with law enforcement and school officials.

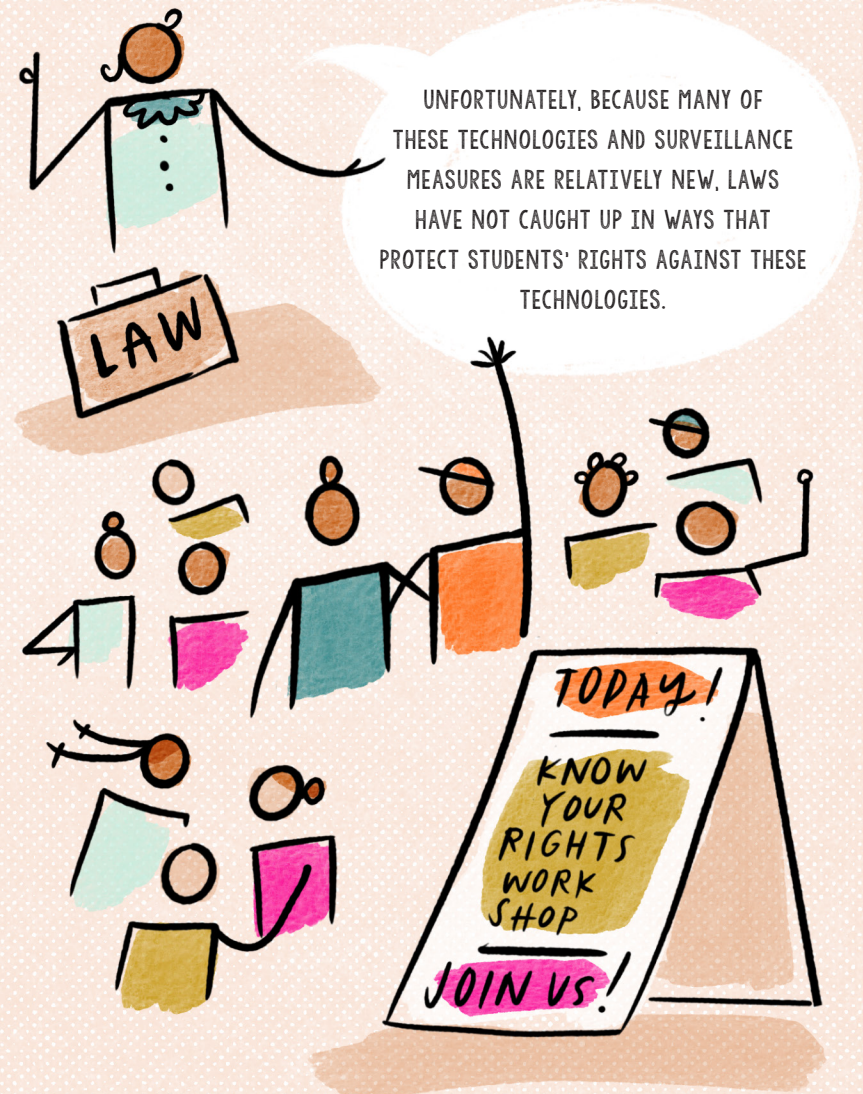
AFTER SCHOOL

LUCI AND ANTHONY ARE BOTH LEADERS IN THEIR LOCAL YOUTH ORGANIZING GROUP. POWER TO THE YOUNG PEOPLE. THEY HAVE BEEN WORKING ON A CAMPAIGN FOR POLICE FREE SCHOOLS IN THEIR DISTRICT AND HAVE BEEN FIGHTING TO REMOVE POLICE OFFICERS FROM SCHOOLS.



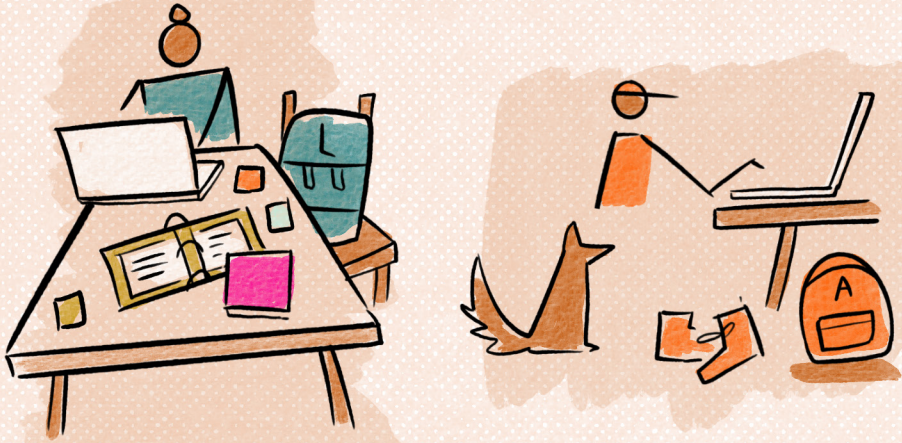
THEY ARE BOTH FRUSTRATED THAT THEY HAVE TO DEAL WITH ALL THE DIFFERENT WAYS THEY HAVE BEEN SURVEILLED THROUGHOUT THE DAY AND DECIDE THAT THEY NEED TO DO SOMETHING ABOUT SURVEILLANCE TOO. THEY DECIDE TO ADD DEMANDS ABOUT SCHOOL SURVEILLANCE TO THEIR POLICE FREE SCHOOLS CAMPAIGN TO TARGET ALL THE WAYS THAT BOTH OF THEIR SCHOOLS ARE MONITORING, POLICING, AND CRIMINALIZING STUDENTS.

LUCI AND ANTHONY'S YOUTH ORGANIZING GROUP INVITED A LAWYER TO COME IN AND DO A KNOW YOUR RIGHTS WORKSHOP FOR THEM. EVEN THOUGH THERE IS A LOT OF KNOWN AND UNKNOWN SURVEILLANCE OF STUDENTS AND FAMILIES IN SCHOOLS, STUDENTS STILL HAVE RIGHTS THAT SHOULD PROTECT THEM.

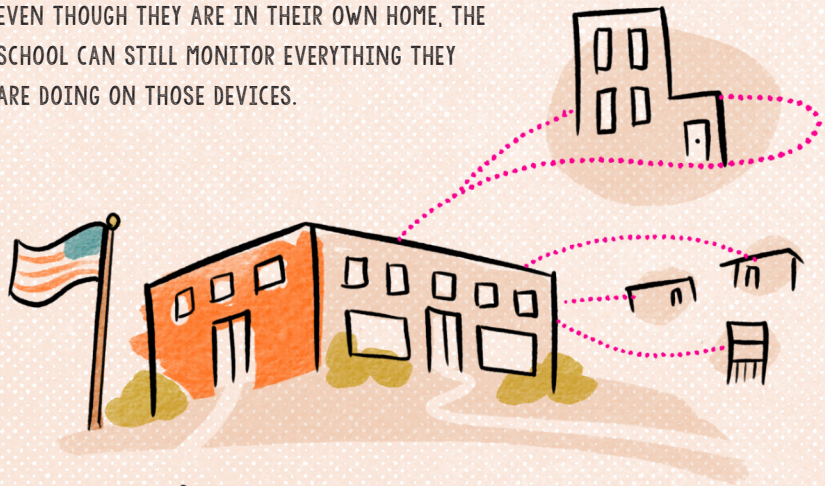


AT HOME

LUCI AND ANTHONY ARE FINALLY BACK HOME AND ARE WORKING ON THEIR SCHOOLWORK THAT IS DUE THE NEXT DAY.



LUCI'S LAPTOP AND ANTHONY'S CHROMEBOOK WERE PROVIDED TO THEM BY THEIR SCHOOL - SO EVEN THOUGH THEY ARE IN THEIR OWN HOME, THE SCHOOL CAN STILL MONITOR EVERYTHING THEY ARE DOING ON THOSE DEVICES.



EVEN IF LUCI AND ANTHONY'S PARENTS CONSENTED TO HAVING THE CHROMEBOOKS, THEY DID NOT REALIZE ALL OF THE CONSEQUENCES AND SURVEILLANCE THAT WOULD COME ALONG WITH ACCEPTING THE DEVICES.

SCHOOL SURVEILLANCE COMES HOME...

School surveillance is not just happening on the way to or at school. School surveillance can now happen **anywhere** – including in the comfort of your own home – especially when schools own the devices that they have given out to students. There have been instances of schools sending police officers to students' homes to supposedly do “wellness checks” because of a monitoring alert.³⁶



KNOW YOUR REALITY, KNOW YOUR RIGHTS



Even though there is a lot of known and unknown surveillance of students and families in schools, students still have rights that should protect them.^{37,38} Unfortunately, because many of these technologies and surveillance measures are relatively new, current laws have not caught up with how to protect student's rights against these technologies. Understanding student rights is but one tool to combat surveillance. Students, parents, and communities must also organize to end oppressive surveillance technologies in their schools.

YOUR CONSTITUTIONAL RIGHTS

THE FIRST AMENDMENT: RIGHT TO FREE SPEECH

The Supreme Court has said that students have a right to free speech, but schools can restrict speech if they believe it would lead to a "substantial disruption" of school activities.³⁹ Schools can censor student speech if the censorship is "reasonably related to legitimate pedagogical concerns" – essentially, there has to be a reasonable educational concern.⁴⁰

When it comes to off-campus speech, like on social media, the Supreme Court has found that schools cannot discipline students unless the speech "materially disrupts classwork or involved substantial disorder or invasion of the rights of others."⁴¹ The Supreme Court has listed a few examples of

off-campus speech that they thought schools may be able to regulate – and that social media monitoring and student device monitoring companies all claim to address – such as serious or severe bullying or harassment targeting individuals and threats aimed at teachers or other students.⁴²

SOME GOOD PRACTICES TO HELP PROTECT YOUR RIGHT TO FREE SPEECH AT SCHOOL OR WHILE USING SCHOOL DEVICES OR WI-FI:



- Lock your phone
- Put your social media profiles on private
- Don't use your personal social media accounts on school devices

THE FOURTH AMENDMENT: PROTECTION FROM UNREASONABLE SEARCHES AND SEIZURES BY THE GOVERNMENT

The Fourth Amendment of the U.S. Constitution prohibits unreasonable searches and seizures by the government – and this includes school officials, like your teachers and sometimes school police. For schools, the Supreme Court has explained that a search is allowed if it is reasonable and not too intrusive based on a student's age, gender, and what they are accused of doing.⁴³

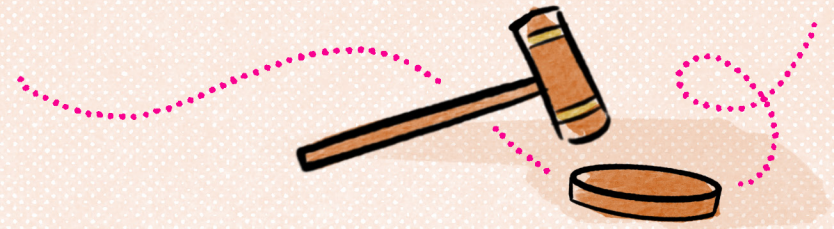
There are generally two types of searches that schools do of students – searches because the school says a student did something wrong, and random, suspicion-less searches on groups of students. If a school searches you because they said you did something wrong, the search must be reasonable.

Reasonable means that the search was justified when the search began and the items or areas searched were reasonably related to the circumstances that justified the search in the first place.⁴⁴ If a school searches you and a group of students at random, the school must have an important reason – a “government interest” – that is seen as more important than your privacy. In one example, the court found that it was permissible for a school to do suspicion-less drug testing because drugs are a pressing concern for schools.⁴⁵

"DIGITAL" SEARCHES: CAMERAS WITH AI, WEAPONS DETECTORS, FACIAL RECOGNITION TECHNOLOGY, STUDENT MONITORING

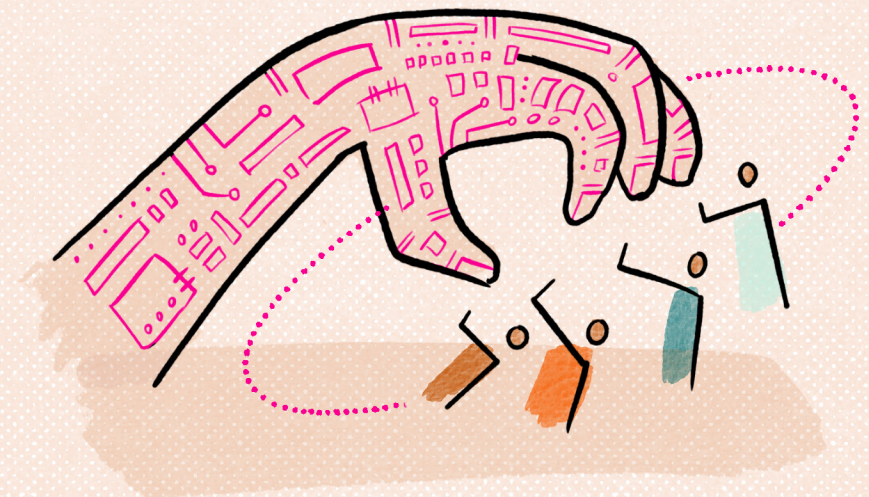
Courts have not addressed how students’ rights are impacted by digital searches. Some courts have concluded that classrooms are public places, and so there is no reasonable expectation of privacy.⁴⁶ In one case from the Sixth Circuit (which covers the states of Kentucky, Michigan, Ohio, and Tennessee), the court accepted the school’s justification for having cameras in order to increase security, but ultimately decided that the search was unreasonable because the school had cameras in the locker rooms.⁴⁷

For student monitoring and similar online searches, another case from the Sixth Circuit found that just because someone used a cell phone on school grounds didn’t mean that the school automatically had a right to search anything on that phone that wasn’t related to why they were originally searching that student.⁴⁸



DUE PROCESS: A RIGHT TO BE HEARD

Generally, students have a right to due process if they are deprived of their education. While specific due process rights vary from state to state, generally, due process means students must (1) be informed that they violated a rule and are being punished and that (2) they have a right to be heard before they are suspended, expelled or otherwise removed from the learning environment. Any school surveillance that harms students and leads to their being punished or criminalized may be a violation of their due process rights. Things like being added to the gang database or being put through a threat assessment process could all have due process right implications.

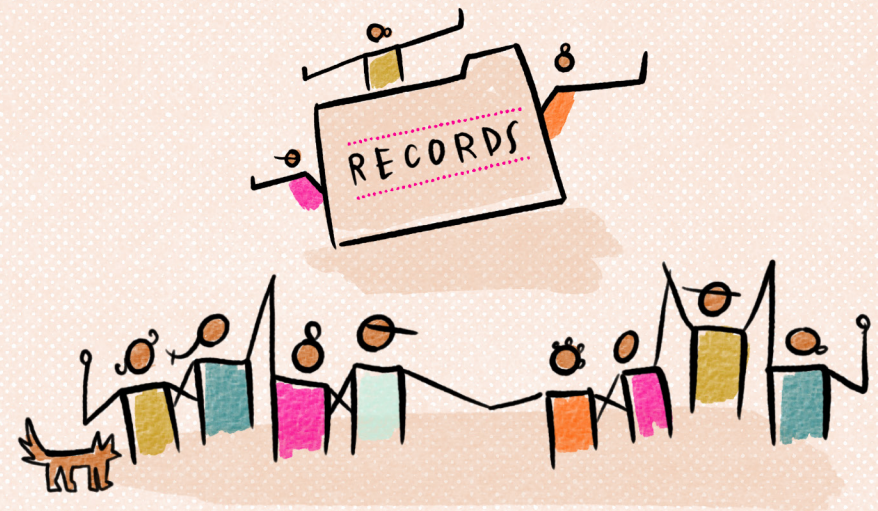


STUDENTS WITH DISABILITIES HAVE ADDITIONAL RIGHTS IN SCHOOLS

Students with disabilities have the right to not be discriminated against in their schools.⁴⁹ Some students with disabilities are protected from being disciplined out of school for behavior that is related to their disability – in other words, a “manifestation of their disability.”⁵⁰ Any surveillance technologies that take into account behavior to trigger an alert for monitoring or punishment, like a behavioral and digital threat assessment, could be in violation of these laws if they are discriminating against a student because of their disability.

ENGLISH LANGUAGE LEARNING STUDENTS HAVE A RIGHT TO PARTICIPATE IN EDUCATIONAL ACTIVITIES




Students who are English language learners also have the right to meaningfully participate in educational activities and programs. Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act both dictate that schools must ensure that students who are learning English can meaningfully and equally participate in instructional programs. School surveillance technologies, especially student device and social media monitoring, pose a risk to these obligations because they may not be designed or programmed to function correctly with languages other than English. One study found that because many of these content analysis technologies are designed for English language text, they run the “risk of further marginalizing and disproportionately censoring groups that already face discrimination.”⁵¹



A RIGHT TO PRIVACY OF STUDENT RECORDS... SOMETIMES

There is a federal law called FERPA⁵² that protects the privacy of student education records that are maintained by educational agencies or institutions, or by parties acting on behalf of the institutions.⁵³ This means that schools are generally not allowed to share student information with outside parties without parental or student consent. However, there are many exceptions to FERPA, including that schools can share your information with contractors, consultants, or “other third parties to whom the school has outsourced institutional services or functions.”⁵⁴ Since the majority of school surveillance technologies are created and run by private companies, FERPA still applies, and while schools can share your personal information with them, they are still only supposed to use that information for the “purposes for which the disclosure was made.”⁵⁵ Some school surveillance technology companies may be in violation of FERPA if they are using student’s information for marketing or advertising purposes for example.

WHAT SHOULD STUDENTS DO IF THEY BELIEVE THEIR RIGHTS HAVE BEEN VIOLATED?

-  Talk to your parent, teacher, or other trusted adult
-  Contact your local youth organizing group
-  If you are being criminalized, talk to a lawyer (if you cannot afford a lawyer and you have been charged with a crime, one should be provided for you).


The best way to protect your rights is to organize for power in your schools and communities. Police free schools, where students are not surveilled but instead are supported – are possible. We need to dismantle the increasing encroachment of school policing infrastructure and surveillance if we are going to have liberatory education systems where all students feel safe to grow and thrive.



FOR MORE INFORMATION ABOUT POLICE FREE SCHOOLS, CHECK OUT WWW.POLICEFREESCHOOLS.ORG

WORD SEARCH

MDZGPOWF A I N G X H R N U F V U S B D C Z Z Q Z I U
 K N D P O H Z I T K G S Y F R N I S Q Y I H R B V X J W I E
 Y F J A H P E R E H L D Q M Q X Y Q H P Z A C V F V A T K I
 T A D S T R X S D D R H I F L Z X B N C U K Y T I W U I R S
 U C K C T A W T R F D E Z I L O T T Z P N P O L I C I N G P
 D I C D V U F A O X T D A X N U Y Y I X A E P C M G K J B A
 N A A V C I D M T H B N T T F R S Z A D O P H J P N H W T H
 Y L M L J B X E I H I T D W A P I K S I U A C H W T B P K A
 J R E C J C R N N R F V O I E S L U K P I W Y E S O D P R F
 Q E R Y B Y T D Q T F T K V V A S P X J E K E G L C Q J G Y
 C C A V W D I M C B D P O G P U P E P Q X C P M Y Z P X O N
 M O S U Y N A E N Z G E X X T B Z O S N I U S Z P Z D O Z B
 K G H K J K V N D F E U V V G P Q N N S D X Q L D W K Z P Q
 G N X F J N U T N F N V T I D J W J X S M Y N X M Z G X Q E
 H I G F Y G S O J G G S Y M C W E A W J D E E Q H C V O Z H
 T T A U Z A K A C S R G U R I E I K N Y C E N W Y B C R J R
 H I N B R Q J Q Y O Z J N R Z H M G E I O H T T E G C F W I A
 D O G P X V O P N U F O M D V P T O O K U E T E S T L O Y L
 L N D V M P R F A P X J X U F E Y C N L S Z L P C L S K L W
 V T A X O Y H R A W C M J L V B I K X I D I U Y T T L O O Y
 W E T O O C T W R S P B U W M I C L X Z T Q T U B A O D P A
 R C A X J U O G S Y R P R F A C C W L D Z O D R V X W R G K
 G H B P K Q K A L Z A J P R G D E O T A T Z R V N K U O S Z
 P N A X H Y N T Y H A P Y V B J F W Y F N J K I O V V M C W
 B O S R Z O S F T B M P E I W E G Q S J C C S G N F T B Z Z
 F L E N Y N U P R K R L U E F S U S I G U G E H T G C U A O
 E O F B W W D J T A O T N Z P W N A M M Q X T R D V Z U N W
 W G O S H O T S P O T T E R M P M I X L A K F G U C Y F L C
 W Y R A Y S N I L L Q Y F F Q G C J B L U P V N F Z X Q J N
 R T T Q Q V Q Q N L V F M F B A Z D K U B L K N X U M N S L

-  Surveillance
-  Policing
-  Gang database
-  Data
-  Shotspotter
-  Cameras
-  Weapons detectors
-  Student device monitoring
-  First amendment
-  Threat assessments
-  Facial recognition technology



MATCHING

Dismantling school policing infrastructure, culture, and practice; ending school militarization and surveillance; and building a new liberatory education system

The state, its agents, and the private sector's monitoring and interpreting of information and data to control, punish, criminalize, police, and profit off of students, families, and community

Publications that are made by and for the people

A machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments

The surveilling of student devices or social media by schools, supposedly to identify "sexual content and drug and alcohol use; prevent mass violence, self-harm and bullying; and flag students who may be struggling with academic or mental health issues

A collection of information about people that police claim may be in a gang

Technology that uses AI to supposedly detect if someone is carrying a weapon

Electronic system where a student asks for permission to leave the classroom or do anything outside of the classroom

Technology that claims it can identify faces in photos or videos and scans them against a database of people

Teams made up of school personnel who identify, evaluate, and address "threats" or "potential threats" to school security

Police Free Schools

Zines

Student Device Monitoring

Facial Recognition Technology

E-hall pass

Weapons Detectors

Gang Database

Artificial Intelligence

School Surveillance

Threat Assessments

MAKE YOUR OWN ZINE!

Create your own zine out of a single piece of paper!
Check out instructions [here](#).

ENDNOTES

1 Charlotte Morabito, “The school security industry is valued at \$3.1 billion. Here’s why that may not be enough,” CNBC (Jul. 6, 2022), <https://www.cnbc.com/2022/07/06/the-school-security-industry-was-valued-at-3point1-billion-in-2021.html>.

2 See Bipartisan Safer Communities Act of 2022, STOP School Violence Act of 2018.

3 River H. Kero, “A History of Zines,” Book Riot (Dec. 2, 2021), <https://bookriot.com/history-of-zines/>.

4 <https://www.soundthinking.com/law-enforcement/leading-gunshot-detection-system/>.

5 MacArthur Justice Center, “Shotspotter creates thousands of unfounded police deployments, fuels unconstitutional stop-and-frisk, and can lead to false arrests,” <https://endpolicesurveillance.com/>.

6 #StopShotspotter Coalition, “An open letter to Ralph Clark, Alan Stewart, and the executives and employees of Shotspotter, Inc.,” <https://act.newmode.net/action/mpower-change/tell-shotspotter-stop-selling-surveillance>.

7 Jamie Kalven, “Chicago Awaits Video of Police Killing of 13-Year-Old Boy,” The Intercept (Apr. 13, 2021), <https://theintercept.com/2021/04/13/chicago-police-killing-boy-adam-toledo-shotspotter/>.

8 Safe Fleet, “School Bus Camera Systems,” <https://www.safefleet.net/products/fleet-video-systems/school-bus-camera-systems/>.

9 ACLU, “Digital Dystopia: The Danger in Buying What the EdTech Surveillance Industry is Selling,” at 11 (Oct. 2023), https://assets.aclu.org/live/uploads/publications/digital_dystopia_report_aclu.pdf.

10 Muslim Justice League, “Get the BRIC Out of Boston,” <https://muslimjusticeleague.org/our-work/get-the-bric-out-of-boston/>.

11 Muslim Justice League, “Get the BRIC Out of Boston,” <https://muslimjusticeleague.org/our-work/get-the-bric-out-of-boston/>.

12 In an Executive Order, the White House has defined Artificial Intelligence as “a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments.” “Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence,” Exec. Office of the President (Oct. 30, 2023)

13 Aaron Gordon and Janus Rose, “‘The Least Safe Day’: Rollout of Gun-Detecting AI Scanners in Schools Has Been a ‘Cluster,’ Emails Show,” Vice (Aug. 25, 2022), available at: <https://www.vice.com/en/article/5d3dw5/the-least-safe-day-rollout-of-gun-detecting-ai-scanners-in-schools-has-been-a-cluster-emails-show>.

14 Mark Keierleber, “The Latest School ‘Weapons Detection’ Tech Can Miss Serious Threats, Experts Say,” The 74 Million (Jan. 30, 2023), available at: <https://www.the74million.org/article/the-latest-school-weapons-detection-tech-can-miss-serious-threats-experts-say/>.

15 Georgia Gee, “Un-Alarmed: AI Tries (and Fails) To Detect Weapons in Schools,” The Intercept (May 7, 2023), available at: <https://theintercept.com/2023/05/07/ai-gun-weapons-detection-schools-evolv/>

16 Amrita Khalid, “Facial recognition AI can’t identify trans and non-binary people,” Quartz (Oct. 16, 2019), <https://qz.com/1726806/facial-recognition-ai-from-amazon-microsoft-and-ibm-misidentifies-trans-and-non-binary-people/>.

17 Tom Simonite and Gregory Barber, “The Delicate Ethics of Using Facial Recognition in Schools,” Wired (Oct. 17, 2019), <https://www.wired.com/story/delicate-ethics-facial-recognition-schools/>.

18 Center for Democracy and Technology, “Hidden Harms: The Misleading Promise of Monitoring Students Online,” (Aug. 2022), <https://cdt.org/wp-content/uploads/2022/08/Hidden-Harms-The-Misleading-Promise-of-Monitoring-Students-Online-Research-Report-Final-Accessible.pdf>.

19 Sen. Elizabeth Warren and Sen. Ed Markey, “Constant Surveillance: Implications of Around-the-Clock Online Student Activity Monitoring,” (Mar. 2022), <https://www.warren.senate.gov/imo/media/doc/356670%20Student%20Surveillance.pdf>.

20 Faiza Patel and Rachel Levinson-Waldman, “Social Monitoring of Students Not Making Schools Safer. Risks Outweigh Rewards,” Brennan Ctr. for Justice (May 14, 2019), <https://www.brennancenter.org/our-work/analysis-opinion/social-monitoring-students-not-making-schools-safer-risks-outweigh>.

21 For more information about the harms of student device and social media monitoring, check out these resources: Center for Democracy and Technology, “Social Media Monitoring in K-12 Schools: Civil and Human Rights Concerns,” Center for Democracy and Technology and Brennan Center for Justice (2019), <https://www.brennancenter.org/sites/default/files/2019-10/CDT%20Brennan%20Statement%20on%20School%20Social%20Media%20Monitoring.pdf>; Hannah Quayde la Vallee, “The Chilling Effect of Student Monitoring: Disproportionate Impacts and Mental Health Risks,” Center for Democracy and Technology (May 5, 2022), <https://cdt.org/insights/the-chilling-effect-of-student-monitoring-disproportionate-impacts-and-mental-health-risks/>; Natasha Duarte, et. al. “Mixed Messages? The Limits of Automated Social Media Content Analysis,” Center for Democracy and Technology (Nov. 2017), <https://cdt.org/wp-content/uploads/2017/11/Mixed-Messages-Paper.pdf>; Elizabeth Laird, et. al., “Hidden Harms: The Misleading Promise of Monitoring Students Online,” Center for Democracy and Technology (Aug. 2022), <https://cdt.org/wp-content/uploads/2022/08/Hidden-Harms-The-Misleading-Promise-of-Monitoring-Students-Online-Research-Report-Final-Accessible.pdf>.

22 Dhanaraj Thakur, Hugh Grant-Chapman, and Elizabeth Laird, “Beyond the Screen: Parents’ Experiences with Student Activity Monitoring in K-12 Schools,” Center for Democracy and Technology (Jul. 31, 2023), <https://cdt.org/insights/report-beyond-the-screen-parents-experiences-with-student-activity-monitoring-in-k-12-schools/>.

23 Jeffrey R. Young, “The School Hall Pass is Going Digital. Is That a Good Thing?,” EdSurge (Mar. 25, 2022), <https://www.edsurge.com/news/2022-03-25-the-school-hall-pass-is-going-digital-is-that-a-good-thing>.

24 See “Abolish E-hallpass at Mynders Academy,” Change.org (Feb. 13, 2023), https://www.change.org/p/abolish-e-hallpass-at-mynders-academy?source_location=search; “Petition to veto E-Hallpass system,” Change.org (Nov. 17, 2023); Mihika Sakharpe, “Controversial hall pass application leads to fiery debate,” Ocean Lakes High School The Current (Nov. 14, 2023), <https://olhscurrent.org/22031/opinion/controversial-hall-pass-application-leads-to-fiery-debate/>; Victoria Williams, “Everything Wrong With the E-hall Pass,” Patriot High School The Charge (Dec. 1, 2021), <https://phscharge.com/1534/opinion-features/everything-wrong-with-the-e-hall-pass/>.

25 Jacqueline Munis and Ella McCarthy, “Schools are using surveillance tech to catch students vaping, snaring some with harsh punishments,” AP News (Jan. 26, 2024), <https://apnews.com/article/vaping-surveillance-technology-schools-982128348c683b9d54c7a307c5b1fdc6>.

26 Caitlynn Peetz, “Schools are Installing Vape Detectors and Using Juul Settlement Money to Pay for It,” Education Week (Apr. 19, 2023), <https://www.edweek.org/leadership/juul-settlements-lead-more-schools-to-install-vape-detectors/2023/04>.

27 Brennan Center for Justice, “Police Body Cameras Policies: Retention and Release,” (Jul. 19, 2019), <https://www.brennancenter.org/our-work/research-reports/police-body-camera-policies-retention-and-release>.

28 ACLU, “Digital Dystopia: The Danger in Buying What the EdTech Surveillance Industry is Selling,” at 11 (Oct. 2023), https://assets.aclu.org/live/uploads/publications/digital_dystopia_report_aclu.pdf.

29 Erase the Gang Database Coalition, “Erase the Gang Database,” last accessed Jul. 24, 2024, <http://erasethegangdatabase.com/>.

30 Public Safety Section of the Office of Inspector General, “Review fo the Chicago Police Department’s ‘Gang Database,’” at 25 (Apr. 11, 2019), <https://igchicago.org/wp-content/uploads/2019/04/OIG-CPD-Gang-Database-Review.pdf>.

31 Public Safety Section of the Office of Inspector General, “Review fo the Chicago Police Department’s ‘Gang Database,’” at 5 (Apr. 11, 2019), <https://igchicago.org/wp-content/uploads/2019/04/OIG-CPD-Gang-Database-Review.pdf>.

32 Shannon Dooling, “What a Boston Student’s Deportation Reveals About School Police and Gang Intelligence,” WBUR (Dec. 13, 2018), <https://www.wbur.org/news/2018/12/13/east-boston-student-discipline-to-deportation>.

33 U.S. Department of Education, “What is a threat assessment team,” Protecting Student Privacy, <https://studentprivacy.ed.gov/faq/what-threat-assessment-team>.

34 Carrie Jung, “Study: Assessing a Student As A Threat Can Affect Their Well-Being,” WBUR (Mar. 8, 2019), <https://www.wbur.org/news/2019/03/08/threat-assessment-effects>.

35 <https://saferschoolstogether.com/>.

36 Liz Bowie, “Baltimore school-issued laptops monitored for safety and mental health reasons, officials say,” The Washington Post (Oct. 24, 2021), https://www.washingtonpost.com/local/education/baltimore-school-laptops-monitored/2021/10/24/be2c6b6e-2d2a-11ec-8ef6-3ca-8fe943a92_story.html.

37 This section is meant for informational purposes only. This is not legal advice.

38 The authors prepared this resource for information purposes only. It is not legal advice and is not intended to nor does it create an attorney-client relationship. Any decision to take action, legal or otherwise, or to obtain legal advice or an attorney, should not be based solely on information contained in this publication.

39 Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 512 (1969).

40 Hazelwood v. Kuhlmeier, 484 U.S. 260, 273 (1988).

41 Mahanoy Area Sch. Dist. v. B.L. by & through Levy, 594 U.S. 180, 186 (2021).

42 Mahanoy Area Sch. Dist. v. B.L. by & through Levy, 594 U.S. 180, 188 (2021).

43 New Jersey v. T.L.O., 469 U.S. 325, 342 (1985).

44 New Jersey v. T.L.O., 469 U.S. 325, 341 (1985).

45 Board of Education v. Earls, 536 U.S. 822, 834 (2002).

46 See, e.g. Plock v. Board of Education of Freeport School District, 545 F. Supp. 2d 755 (N.D. Ill. 2007); Evens et al. v. Superior Court of L.A. County, 91 Cal. Rptr. 2d 497, 77 Cal. App. 4th 320 (Cal. App. 2 Dist. 1999); State v. McLellan, 744 A.2d 611 (N.H. 1999).

47 Brannum v. Overton County School Board, 516 F.3d 489 (6th Cir. 2008).

48 Maya Weinstein, School Surveillance: The Students’ Rights Implications of Artificial Intelligence as K-12 School Security, 98 N.C. L. REV. 438 (2020), <https://scholarship.law.unc.edu/nclr/vol98/iss2/12>, quoting G.C. v. Owensboro Public Schools, 711 F.3d 623, 632-33 (6th Cir. 2013), (“using a cell phone on school grounds does not automatically trigger an essentially unlimited right enabling a school official to search any content stored on the phone that is not related either substantively or temporally to the infraction.”)

49 There are 3 federal laws that govern the rights of students with disabilities: IDEA, Section 504 of the Rehabilitation Act of 1973, and the ADA.

50 20 U.S.C. Section 1415(k)(3).

51 Natasha Duarte, et. al, “Mixed Messages? The Limits of Automated Social Media Content Analysis,” Center for Democracy and Technology (Nov. 2017), <https://cdt.org/wp-content/uploads/2017/11/Mixed-Messages-Paper.pdf>.

52 Family Educational Rights and Privacy Act.

53 20 U.S.C. Section 123g; 34 CFR Part 99.

54 U.S. Department of Education, “An Eligible Student Guide to the Family Educational Rights and Privacy Act (FERPA) (Mar. 2023), https://studentprivacy.ed.gov/sites/default/files/resource_document/file/An%20Eligible%20Student%20Guide%20to%20FERPA_0.pdf.

55 U.S. Department of Education, “An Eligible Student Guide to the Family Educational Rights and Privacy Act (FERPA) (Mar. 2023), https://studentprivacy.ed.gov/sites/default/files/resource_document/file/An%20Eligible%20Student%20Guide%20to%20FERPA_0.pdf.



**ADVANCEMENT
PROJECT**

