



**FOR IMMEDIATE RELEASE**  
October 27, 2020

**CONTACT**  
Amy Weiss, [amy@weisspublicaffairs.com](mailto:amy@weisspublicaffairs.com)

## **24 Organizations Release Principles for Protecting Student Data Privacy and Equity in the Pandemic**

**WASHINGTON, D.C.** – The Bazelon Center for Mental Health Law and 23 other education, healthcare, disability rights, data protection, and civil liberties organizations today released [\*Education During a Pandemic: Principles for Student Data Privacy and Equity\*](#). The *Principles* offer 10 guiding recommendations for schools as they rely on new technologies and data to facilitate remote, in-person, or hybrid learning models during the COVID-19 pandemic.

As the pandemic worsens and schools continue to shift between remote learning, in-person learning, and hybrid approaches, it has become clear that there is a need for a set of guiding principles to serve all schools. The group of stakeholders developed its 10 recommendations to help guide schools as they navigate an unprecedented and evolving situation in the 2020-2021 school year.

“This is an extraordinarily challenging time and it is more important than ever to ensure that schools guard against unfounded assumptions about students with disabilities that lead to segregation and unequal education,” said Jennifer Mathis, Director of Policy and Advocacy at the Bazelon Center for Mental Health Law.

“The pandemic is not over, and the challenges facing K-12 schools aren’t, either. We have a long way to go, and the success of data and technology-driven efforts to educate students during this time depends on trust, and ensuring adequate privacy and equity safeguards are in place to protect students and their families,” said Amelia Vance, the Future of Privacy Forum’s Director of Youth and Education Privacy. “These 10 principles provide an excellent roadmap for schools to build and maintain trust with students and families, and ultimately create a supportive, safe, and inclusive learning environment for all students during this unprecedented time.”

While many schools spent the summer preparing for the return of students in person, a surge of cases in late July and early August forced many schools to alter their plans, sometimes just days before school started, leading to what [\*The New York Times\* called a “lost summer”](#) of opportunity to fix online learning. Facing the prospect of a winter surge in cases, some schools that have returned to in-person [are making plans to revert to online learning](#) if needed.

Highlights of [\*The Principles for Student Data Privacy and Equity\*](#) include:

- **Limiting Data Collection and Sharing.** Any COVID-19 related requests for the health information of students, their families, or school staff must be narrowly tailored to the information necessary to determine whether an individual has or does not have COVID-19, or whether a requested reasonable accommodation or modification related to COVID-19 is necessary. Similarly, any information shared with authorities such as state and local public health officials should be limited to a narrowly tailored and documented public health purpose in accordance with all local requirements and limitations.
- **Ensuring the Evidence-Based Use of Technology and Data.** Any technology adapted or adopted to assist with online learning or help mitigate the spread of COVID-19, such as education technology applications, video-conferencing tools, contact tracing applications, thermal imaging, temperature scanning, or health wearable technology should be evidence-based and evaluated for efficacy and in alignment with all applicable laws.
- **Empowering Students and Families.** Students and families should play a role in the return to in-person school decision-making process. They should also be provided with access to the data collected about them during the COVID-19 pandemic, and an opportunity to appeal individualized educational or health decisions that rely on this information.
- **Addressing Trauma.** Many students have experienced heightened trauma due to COVID-19 and may face some difficulty reacclimating to the school environment and learning. Students should be provided with trauma support and not penalized based on the assumption that they will engage in disruptive behavior.

**See the full list of 10 principles and signatories [here](#).**

The release of the [Principles for Student Data Privacy and Equity](#) furthers the Bazelon Center's commitment to providing new and timely resources for navigating the unprecedented challenges posed by the COVID-19 pandemic.

To learn more about the Bazelon Center, visit [www.bazelon.org](http://www.bazelon.org).