

The following is a set of screenshots from the resolution *Protecting Youth from Data Exploitation by Online Technologies and Applications*, proposed and passed in April 2020 at the CA State NAACP Resolutions conference, and passed by the national delegates at the NAACP National Conference on September 26th, 2020.

The full set of resolutions is at <https://www.naacp.org/wp-content/uploads/2020/09/2020-Resolutions-version-to-be-reviewed-by-the-Convention-Delegates.pdf> (p. 41-43 below)

INFORMATION TECHNOLOGY

1. *Protecting Youth from Data Exploitation by Online Technologies and Applications* California/Hawaii State Conference, Unit 1021-SC Hawaii State Conference Education Chair

Concur as amended

WHEREAS, The COVID19 pandemic has resulted in widespread school closures that are disproportionately disadvantaging families in under-resourced communities; and

WHEREAS, The resulting emergency learning tools have primarily been comprised of untested, online technology apps and software programs; and

WHEREAS, The National Education Policy Center has documented evidence of widespread adoptions of apps and online programs that fail to meet basic safety and privacy protections; and

WHEREAS, Privately managed cyber/online schools, many of which have been involved in wide-reaching scandals involving fraud, false marketing, and unethical practices, have seized the COVID crisis to increase marketing of their programs that have resulted in negative outcomes for students most in need of resources and supports; and

WHEREAS, Parents and students have a right to be free from intrusive monitoring of their children's online behaviors, have a right to know what data are being collected, what entities have access, how long data will be held, in what ways data would combined, and how data could be protected against exploitation; and

WHEREAS, Increased monitoring and use of algorithmic risk assessments on students' behavioral data are likely to disproportionately affect students of color and other underrepresented or underserved groups, such as immigrant families, students with previous disciplinary issues or interactions with the criminal justice system, and students with disabilities; and

WHEREAS, Serious harms resulting from the use of big data and predictive analytics have been documented to include targeting based on vulnerability, misuse of personal information, discrimination, data breaches, political manipulation and social harm, data and system errors, and limiting or creating barriers to access for services, insurance, employment, and other basic life necessities; and

THEREFORE, BE IT RESOLVED, that the NAACP will advocate for strict enforcement of the Family Education Rights and Privacy Act to protect youth from exploitative data practices that violate their privacy rights or lead to predictive harms; and

BE IT FURTHER RESOLVED, that the NAACP will advocate for federal, state and local policy to ensure that schools, districts, and technology companies contracting with schools will neither collect, use, share, nor sell student information unless given explicit permission by parents in plain language and only after being fully informed on the specific data that would be collected and how it would be utilized; and

BE IT FURTHER RESOLVED, that the NAACP will work independently and in coalition with like-minded civil rights, civil liberties, social justice, education and privacy groups to collectively advocate for stronger protection of data and privacy rights; and

BE IT FURTHER RESOLVED, that the NAACP will oppose state and federal policies that would promote longitudinal data systems that track and/or share data from youth from infancy/early childhood in exploitative, negatively impactful, discriminatory or racially profiling ways through their education path and into adulthood; and

BE IT FINALLY RESOLVED, that the NAACP will urge Congress and state legislatures to enact legislation that would prevent technology companies engaged in big data and predictive analytics from collecting, sharing, using and/or selling children's educational or behavioral data.