

Online Schooling increases privacy risks for children

Date: 21 May 2020

Abstract:

COVID-19 has led schools to rapidly moving from face-to-face teaching to the utilising of technology and online platforms to enable children to be educated at home. This swift transition has allowed children's learning to continue in the current unique circumstances but has also created privacy issues for the teachers and the students.

Schools are utilising new technologies and online platforms as educational tools as part of regular curriculum in order to challenge students in varying environments. COVID-19 has shifted the use of these tools from occasional use to a full-time online experience for students at home, in order to continue the students' education. These tools include taking classes online and engaging with online learning tools. They also increase the usage of videoconferencing technologies for virtual meetings involving teachers, students and parents. The swift transition to online learning often prioritised the quick implementation that is user-friendly and can accommodate lots of students. This may have implications for data security and privacy.

In order to continue the learning process schools are utilising programs such as Skype, Zoom and Google Classroom. These programs utilise online programming and are versatile and user-friendly, making it convenient to accommodate online learning. However, these platforms collect a great amount of personal information from their users, in this case being students and teachers. These companies can collect information such as name, school, location, network connection, device and communications. This can lead to long-term risks regarding the privacy of school students.

The [Privacy Act 1988 \(Cth\)](#) protects an individual's personal information regardless of their age. While there is no specifically stated age from which an individual's consent will be valid, an individual must have capacity to consent. As a general rule, an individual under the age of 18 has the capacity to consent if they have the maturity to understand what is being proposed. If it is not practical for an organisation to assess the capacity of individuals on a case-by-case basis, as a general rule, they may assume an individual over the age of 15 has capacity. If an individual lacks maturity, it may be appropriate for a parent or guardian to consent on their behalf.

For online schooling, organisations collect personal information, with many children being unable to legitimately consent to the use of their personal information by these companies, as they lack the maturity or understanding of what data they are providing and the consequences. This could breach the [Australian Privacy Principles](#), unless a parent has consented on their behalf.

In addition, the data collection of these companies generally fails to recognise the rights that students have under the [UN Convention for the Rights of the Child](#), most particularly their right to participate in decisions affecting them.

Online learning systems are important tools for education during COVID-19. Due to privacy and data security considerations, teachers, schools and parents should carefully consider the surveillance and privacy risks associated with use of these platforms. It is also important

to understand the privacy policies, terms and conditions and their implications on all the parties involved, especially students.