

From: Sareault, Jessica <jsareault@bostonpublicschools.org>

Sent: Thursday, June 06, 2019 8:28 AM EDT

To: Alicia Copeland <Alicia Copeland <acopeland@bostonpublicschools.org>>; Alyssa Copp <Alyssa Copp <acopp@bostonpublicschools.org>>; Alina Swonger <Alina Swonger <aswonger@bostonpublicschools.org>>; Brendan Powers <Brendan Powers <bpowers@bostonpublicschools.org>>; Chet Ozmun <Chet Ozmun <cozmun@bostonpublicschools.org>>; David Weiss-Irwin <David Weiss-Irwin <dweissirwin@bostonpublicschools.org>>; Jeannine Dykens <Jeannine Dykens <jdykens@bostonpublicschools.org>>; Mars, Jane; Jake P Smith <Jake P Smith <jpsmith@wesleyan.edu>>; Gordon, Shaunice; Tyrone Calloway <Tyrone Calloway <tcalloway@bostonpublicschools.org>>; Clara Lucien <Clara Lucien <clucien@bostonpublicschools.org>>; Collin Case <Collin Case <ccase@bostonpublicschools.org>>; Daniel McGoff <Daniel McGoff <dmcgoff@bostonpublicschools.org>>; David Lopes <David Lopes <dlopes2@bostonpublicschools.org>>; David Siggers <David Siggers <dsiggers@bostonpublicschools.org>>; Erin Keel <Erin Keel <ehoey@bostonpublicschools.org>>; Jennifer Kelley <Jennifer Kelley <jkelley4@bostonpublicschools.org>>; Josh Bordes <Josh Bordes <joshbordes@gmail.com>>; Justin Garvey <Justin Garvey <jgarvey2@bostonpublicschools.org>>; Karina Evora <Karina Evora <kevora@bostonpublicschools.org>>; Keisha Lewis <Keisha Lewis <klewis2@bostonpublicschools.org>>; Sashaea Smith <Sashaea Smith <ssmith8@bostonpublicschools.org>>; Seth Hochman <Seth Hochman <shochman@bostonpublicschools.org>>; Drew, Rekha

Subject: ESY

Hi All,

Just wanted to update you on a few things:

1. The hours for staff have changed. Teacher hours are now 7:30-1:30. Student hours are 8-1. Staff will sign in and out using an iPad with facial recognition software, per new ESY protocol, so it is important that teachers are at school on time and stay the whole time (even if your bus is gone).
2. PD has been set for June 21st from 8-4. The location is probably going to be Mildred Ave, but we are waiting on confirmation.
3. As soon as hires are official, I will start assigning students. I will be sure to let you know what disability you will be working with before the PD so that you can attend the right break out sessions.
4. There are two open houses this year, scheduled for June 24th and 25th. The hours are tentatively 7-1 on June 24th, with families coming from 8-11, and 12-6 on June 25th, with families coming from 4-6. The hours may shift a little, but please mark these dates on your calendar.
5. If you have students that you are hoping to work with, please let me know. I will do my best to accommodate as many requests as I can.
6. If you haven't already done so, please sign up for a SafetyCare training using [this](#) link.

If you have any questions, please let me know. Enjoy the remainder of your year!

Jess

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Jessica Sareault
Grade 4 Learning Disabilities Teacher
Kenny Elementary School
19 Oakton Ave
Dorchester, MA 02122
617-635-8789

From: Estrada, Maria <mestrada4@bostonpublicschools.org>

Sent: Thursday, August 29, 2019 9:26 AM EDT

To: Kimberly Pelletreau <Kimberly Pelletreau <kpelletreau@bostonpublicschools.org>>; David Murphy <David Murphy <dmurphy6@bostonpublicschools.org>>; Consalvo, Robert

CC: Monica Roberts <Monica Roberts <mroberts@bostonpublicschools.org>>; McDonough, Ellen; Abraham Osorio <Abraham Osorio <aosorio2@bostonpublicschools.org>>

Subject: Facial Recognition - TIME SENSITIVE

Attachment(s): "Letter DESE EF 8-23.docx"

Good Morning Kim, Dave and Rob

BSAC has been asked to sign on to the attached letter to DESE asking for the ban of face surveillance in schools. I need to gather more information for BSAC members to make an informed decision. Is BPS aware of this? Are you aware if the Mayor may be taking a position on this issue?

The students will need to make a decision by tomorrow morning and I am gathering information to send out to them now.

Please advise.

Maria Estrada

BSAC Student Engagement Manager

Office of Engagement | Boston Public Schools

2300 Washington Street, Boston MA 02119

617-635-9446

Pronouns: She/Her/Hers

mortiz@bostonpublicschools.org

w: bostonstudentrights.org



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[LOGOS OF ORGANIZATIONS]

August 28, 2019

Via email.

Massachusetts Board of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148
boe@doe.mass.edu

Re: Banning the Use of Face Surveillance in Elementary, Secondary, and Vocational-Technical Schools

Dear Commissioner Riley and Members of the Board:

The undersigned organizations are dedicated to promoting civil rights and civil liberties, equitable educational practices, child welfare, and youth development. We write to express grave concerns about the use of face surveillance in schools, and to ask that the Massachusetts Department of Elementary and Secondary Education ban the use of face surveillance systems in all elementary, secondary, and vocational-technical schools in Massachusetts.

In June, the New York State Education Department barred¹ the Lockport City School District in New York from installing face surveillance technology in schools. Massachusetts should follow New York's example, and ensure face surveillance technologies are not used in any school district in the Commonwealth.

Face surveillance technology allows for the automated identification, tracking, and cataloguing of people based on the unique physical characteristics of their faces. The software works by creating a unique "faceprint" of an individual based on an image of their face. A faceprint can be derived from a photograph or an image captured by a video camera or similar surveillance device. The software can then use a face surveillance algorithm to compare the faceprint against an infinite number of photographs stored in a database, in an attempt match, identify, and learn more information about the person. Face surveillance and other remote biometric tracking technologies facilitate government monitoring of every person's every movement, association, and habit—not just on one day, but on all days—merely with the push of a button.

¹ Thomas J. Prohaska, Education Department bars Lockport schools from testing facial recognition, June 28, 2019, available at <https://buffalonews.com/2019/06/28/education-department-bars-lockport-schools-from-testing-facial-recognition/>

[LOGOS OF ORGANIZATIONS]

The use of face surveillance by both corporations and government entities is currently unregulated in Massachusetts. There are no statutes dictating how or when it may be used, or providing protections for civil rights and civil liberties. In the absence of regulations, the use of the technology is occurring largely in the dark, absent public debate or democratic oversight. In New York, for example, the Lockport City School District planned to adopt face surveillance tools in schools without legislative authorization or public debate. When the public learned about the district's plans, people were outraged, and the state's education department stepped in.

If national trends are any indication, elementary, secondary, and vocational-technical schools in Massachusetts will soon start considering the installation of face surveillance systems here in our Commonwealth. Private companies are eager to provide these services to public institutions. Already, they are targeting police departments.² Emails obtained by the ACLU of Massachusetts indicate surveillance companies are aware that public schools are also a huge market for their products.³

For several reasons, **children should not be subject to face surveillance in schools:**

- Massachusetts schools should be safe environments for students to learn, explore their identities and intellects, and play. Face surveillance technology threatens that environment. Face surveillance in schools transforms all students into perpetual suspects, where each and every one of their movements can be automatically monitored and catalogued. The use of this technology in public schools will chill students from engaging in student dissent, and exploring new ideas.
- This technology is biased and inaccurate, which raises concerns about its use to police students of color. Academic, peer-reviewed studies show face surveillance algorithms are too often racially-biased, particularly against Black women, with inaccuracy rates up to 35 percent for that demographic.⁴ Today, Black and brown students are more likely to be punished for perceived misbehavior.⁵ Face surveillance will only perpetuate and reproduce this situation, calcifying discrimination and racial profiling within schools, and growing the opportunity gap.

² In July 2018, the ACLU of Massachusetts filed requests with dozens of police departments to learn about how they use face surveillance technology. The Plymouth Police Department provided hundreds of emails in response to that request. The emails contain extensive correspondence between a billionaire-backed face surveillance start-up called "Suspect Technologies" and representatives for the Plymouth Police Department. See <https://data.aclum.org/public-records/plymouth-police-department-face-surveillance-emails/>

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⁵ Teacher treatment of students factors into racial gap in school suspensions, Brown University, July 28, 2019, available at <https://www.brown.edu/news/2019-07-18/discipline>.

[LOGOS OF ORGANIZATIONS]

- Face surveillance in schools will contribute to the “school-to-prison pipeline,”⁶ threatening children’s welfare, educational opportunities, and life trajectories. Already, children from marginalized communities are too often funneled out of public schools and into the juvenile and criminal justice systems. Face surveillance will inevitably grease this pipeline: False positives will result in unnecessary interactions with law enforcement, lost class time, disciplinary action, and potentially even a criminal record.
- Face surveillance technology will harm immigrant families. In this political climate, immigrants are already fearful of engagement with public institutions, and face surveillance systems would further chill student and parent participation in immigrant communities. Massachusetts schools must be welcoming and safe spaces for all families. But in the absence of a statewide rule barring school systems from adopting face surveillance technology, we worry the harms will be borne predominately by these students and families, who are already struggling in often unequal, unfair systems.
- Face surveillance technology regularly misgenders transgender people,⁷ and will have a harmful impact on transgender young people in our schools. Research shows that automatic gender recognition, a subfield of face surveillance technology, “consistently operationalises gender in a trans-exclusive way, and consequently carries disproportionate risk for trans people subject to it.”⁸ At a time when transgender children are being stripped of their rights at a national level,⁹ Massachusetts must protect transgender kids in our schools.
- Safety in school is critical – but it depends on support, not surveillance. The use of this technology will not make schools safer or prevent incidents that endanger children’s lives. Constant surveillance and identification of our children while they are growing up and developing their personalities is not the answer: This technology ratchets up anxiety at a time when students need resources to keep them calm, safe, and feeling accepted.¹⁰

⁶ School-to-prison pipeline, ACLU, available at <https://www.aclu.org/issues/racial-justice/race-and-inequality-education/school-prison-pipeline>

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⁸ Os Keyes, The Misgendering Machines: Trans/HCI Implications of Automatic Gender Recognition, University of Washington, USA, available at https://ironholds.org/resources/papers/agr_paper.pdf

⁹ Rebecca Klein, Trump Admin To Transgender Kids: We Won’t Deal With Your Civil Rights Complaints, The Huffington Post, January 2018, available at https://www.huffpost.com/entry/transgender-office-for-civil-rights_n_5a5688ade4b08a1f624b2144?guccounter=1

¹⁰ Anna Minton, CCTV increases people’s sense of anxiety, The Guardian, October 2012, available at <https://www.theguardian.com/society/2012/oct/30/cctv-increases-peoples-sense-anxiety>

[LOGOS OF ORGANIZATIONS]

In Massachusetts, we must take action to ensure children are not subject to this unfair, potentially biased, and chilling scrutiny. The educational community cannot tolerate such an intrusion. In order to protect young people, we must stop face surveillance in schools before it begins.

The Massachusetts Board of Elementary and Secondary Education should ban the use of face surveillance in the schools under its authority.

Legislators and policy-makers at the federal, state, and local levels, all throughout the country, are acknowledging that the current situation with respect to face surveillance cannot continue. For example, in July, a group of House lawmakers, including Massachusetts Representative Ayanna Pressley, proposed a bill banning facial recognition technology from public housing.¹¹ Here in Massachusetts, bills that would place a moratorium on the use of face surveillance by the government were introduced both in the House¹² and in the Senate¹³ on Beacon Hill. Two cities—Somerville¹⁴, Massachusetts; Oakland¹⁵, California; and San Francisco¹⁶, California—recently enacted municipal bans on the use of face surveillance by the local government.

Taking action to stop unregulated face surveillance is popular with Massachusetts voters. A first-of-its-kind poll conducted by Beacon Research found that 76 percent of Massachusetts voters do not think the government should be able to monitor and track people with this technology. Ninety-one percent of Massachusetts voters think the Commonwealth needs to regulate the government's ongoing use of face surveillance technology.¹⁷

As adults, it is our responsibility to ensure we do not normalize constant surveillance for young people. The Commonwealth has the opportunity to demonstrate a real commitment to the well-being of our children in this digital age by banning the use of the technology in Massachusetts schools.

¹¹ Emily Birnbaum, House lawmakers to introduce bill banning facial recognition tech in public housing, The Hill, July, 2019, <https://thehill.com/policy/technology/454404-house-lawmakers-to-introduce-bill-banning-facial-recognition-tech-in-public>

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¹⁵ Sarah Ravani, Oakland bans use of facial recognition technology, citing bias concerns, San Francisco Chronicle, July 2019, available at <https://www.sfchronicle.com/bayarea/article/Oakland-bans-use-of-facial-recognition-14101253.php>

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We would like the opportunity to meet with you to discuss the issues we address in this letter. We look forward to being in touch at your earliest convenience, and we thank you for your service to the young people of the Commonwealth.

Sincerely,

Cc
Jeffrey C. Riley
Commissioner of Elementary
And Secondary Education
75 Pleasant Street
Malden, MA 02148-4906
[email]

[SIGNATURES]

From: Estrada, Maria <mestrada4@bostonpublicschools.org>

Sent: Thursday, August 29, 2019 11:45 AM EDT

To:

[Redacted recipient list]

CC: Abraham Osorio <Abraham Osorio <aosorio2@bostonpublicschools.org>>; YOB - Jenny Sazama <YOB - Jenny Sazama <jenny@youthonboard.org>>; Rachel Gunther <Rachel Gunther <rachel@youthonboard.org>>

Subject: Facial Recognition in Schools - RESPONSE NEEDED ASAP!

Attachment(s): "Letter DESE EF 8-23.docx"

Hello Summer Team

I need your feedback ASAP on this issue. Read the attached letter and let me know by replying back to me directly if you think BSAC should sign on. At the moment, BPS and the Mayor's office were not aware of this issue.

Please do not circulate.

Thanks so much,

Maria Estrada

BSAC Student Engagement Manager
Office of Engagement | Boston Public Schools
2300 Washington Street, Boston MA 02119
617-635-9446

Pronouns: She/Her/Hers

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Sincerely,

Cc
Jeffrey C. Riley
Commissioner of Elementary
And Secondary Education
75 Pleasant Street
Malden, MA 02148-4906
[email]

[SIGNATURES]

From: Pelletreau, Kimberly <kpelletreau@bostonpublicschools.org>

Sent: Friday, August 30, 2019 10:12 AM EDT

To: Ortiz, Maria

CC: David Murphy <David Murphy <dmurphy6@bostonpublicschools.org>>; Robert Consalvo <Robert Consalvo <rconsalvo@bostonpublicschools.org>>; Monica Roberts <Monica Roberts <mroberts@bostonpublicschools.org>>; McDonough, Ellen; Abraham Osorio <Abraham Osorio <aosorio2@bostonpublicschools.org>>

Subject: Re: Facial Recognition - TIME SENSITIVE

Maria/Team:

I do not foresee BPS considering any such intrusive technology from the safety perspective. There are several other options to enhance a safe and welcoming environment for our schools that are focused on infrastructure, collaborations, and strong school communities focused on prevention/intervention. We have also recently updated our School Access policy and will continue to educate and support school communities on implementation of this critical aspect of safety in our schools. Kp

On Fri, Aug 30, 2019, 8:26 AM Estrada, Maria <mestrada4@bostonpublicschools.org> wrote:

Good Morning

BSAC members read the letter and have voted to sign on. I will need to reply to the ACLU by noon today to notify them. Below is a copy of the original email sent to Youth on Board staff that has a bit more information.

Subject: re face surveillance in MA schools

I'm writing to see if BSAC/Youth on Board might be interested in joining an effort to push DESE to issue regulations prohibiting the use of face surveillance technology in MA schools.

Specifically, we are concerned that private companies may be taking advantage of legitimate fears about school safety by pushing untested, sometimes even racially biased facial surveillance technology on school districts in Massachusetts. Recently in New York, the Lockport school district spent nearly \$3 million on a face surveillance system—*without* public debate or legislative authorization. After public backlash, the NY state department of education stepped in and told the district it was not allowed to turn the system on.

That makes sense, because there are currently *no regulations* in place to protect students, teachers, or staff from this powerful technology, in either New York or Massachusetts.

We are eager to work with education experts and officials in Massachusetts to make sure something like the Lockport saga doesn't happen here.

Please let me know if you're interested in joining the effort.

Best,

Kade Crockford

Director, Technology for Liberty Program

American Civil Liberties Union of Massachusetts

211 Congress Street, Boston, MA 02110

617.482.3170 x346 | kcrockford@aclum.org

aclum.org | privacysos.org/blog

Best,

Maria Estrada

BSAC Student Engagement Manager

Office of Engagement | Boston Public Schools

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On Thu, Aug 29, 2019 at 11:21 AM Pelletreau, Kimberly <kpelletreau@bostonpublicschools.org> wrote:

I haven't heard anything about this. kp

On Thu, Aug 29, 2019 at 9:27 AM Estrada, Maria <mestrada4@bostonpublicschools.org> wrote:

Good Morning Kim, Dave and Rob

BSAC has been asked to sign on to the attached letter to DESE asking for the ban of face surveillance in schools. I

need to gather more information for BSAC members to make an informed decision. Is BPS aware of this? Are you aware if the Mayor may be taking a position on this issue?

The students will need to make a decision by tomorrow morning and I am gathering information to send out to them now.

Please advise.

Maria Estrada

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Boston Public Schools
2300 Washington Street, Boston MA 02119
kpelletreau@bostonpublicschools.org
mobile: 857-302-8941 |

From: Kulasekaran, Kimberly <kphillips@bostonpublicschools.org>

Sent: Sunday, July 07, 2019 1:13 PM EDT

To: erin.obrien@sjcme.edu <erin.obrien@sjcme.edu>; Sarah Wakabayashi <Sarah Wakabayashi <swakabayashi@bostonpublicschools.org>>; tovafrancois31@gmail.com <tovafrancois31@gmail.com>; Abby Marsa <Abby Marsa <amarsa@bostonpublicschools.org>>; Asha Leray <Asha Leray <aleray@bostonpublicschools.org>>; Charlay Yates <Charlay Yates <charlay.yates@gmail.com>>; Chrislene Francois <Chrislene Francois <cfrancois@bostonpublicschools.org>>; Colleen Burns <Colleen Burns <chburns3@gmail.com>>; Cortina Brown <Cortina Brown <cbrown5@bostonpublicschools.org>>; Jillian Rondeau <Jillian Rondeau <jrondeau@bostonpublicschools.org>>; Kevin Tersilas <Kevin Tersilas <ktersilas@bostonpublicschools.org>>; Malinda McNeil <Malinda McNeil <MMcNeil@boston.k12.ma.us>>; Bridget <Bridget <bbettencourt@bostonpublicschools.org>>; Kevin <Kevin <kcrowley3@bostonpublicschools.org>>; Sarah Hogan <Sarah Hogan <shogan4@bostonpublicschools.org>>; Shaleah Tersilas <Shaleah Tersilas <stersilas@bostonpublicschools.org>>; Susan Wilson <Susan Wilson <wilsonss@simmons.edu>>; Valdez, Luz; Vivaldi Desrosiers <Vivaldi Desrosiers <vdesrosiers@bostonpublicschools.org>>; Cheryl Davidson <Cheryl Davidson <cdauidson@bostonpublicschools.org>>; Meghan Aycock <Meghan Aycock <maycock@bostonpublicschools.org>>; Sharon Harrison <Sharon Harrison <sharrison@bostonpublicschools.org>>; katiesipula@gmail.com <katiesipula@gmail.com>

Subject: Carter ESY 2019: Let's Do This!

Hello Carter ESY Crew! I am looking forward to seeing each of you tomorrow!

Hours are 9:30-2:30. Teachers and therapists work 6 hour days, 9-3pm.

Paraprofessionals work 5 hour days, 9:30-2:30.

Lunch breaks are 30 minutes.

Just a few reminders:

1. Buses are scheduled to arrive 15 minutes before the start time in the morning. Teachers and Therapists are asked to be prepared to unload the students at 9:15 in the morning.
2. I will come onto each bus to sign-in bus monitors each morning.
3. No open-toe shoes, I know this goes without saying but your dress must be school appropriate.
4. If you received an email from Tanda please login and create an account so that sign in tomorrow morning will be quicker. For those who haven't heard we will be trialing a facial recognition software on a stationary iPad in the main office. This will be your check in and out of school each day. Just in case this malfunctions I will also have a physical sign in sheet at the front desk.
5. My ESY Cell # is 857-399-5746. If you are running late, need to call out sick or need to get in touch with me for any other reason please text or call this number.
6. Our current ESY schedule is filled in with all available information. If you have any questions we can go over it tomorrow at 9am. If you are a related service provider and would like to add your details please do so on the sheet.
[Carter ESY Schedule and Roster](#)
7. If you have not done so already please fill out the staff emergency form found [here](#)
8. ESY Handbook can be found [here](#)
9. Equity Circulars can be found [here](#)

Let's have an awesome ESY! 4 weeks, we can do this!!!! Email, call or text with any questions.

-Kim
857-399-5746
William E. Carter School
396 Northampton Street,
Boston MA 02118

From: MacNeil, Carolyn <cmacneil@bostonpublicschools.org>
Sent: Thursday, October 06, 2016 10:18 AM EDT
To: Ammer Soliman <Ammer Soliman <asoliman@college.harvard.edu>>
CC: Mark Racine <Mark Racine <mracine2@bostonpublicschools.org>>
Subject: Re: Improving Boston's Education System

Good morning Ammer,

Thank you for your email. I have cc'd our Director of Technology for follow-up. Regards, Carolyn

On Tue, Oct 4, 2016 at 4:09 PM, Ammer Soliman<asoliman@college.harvard.edu> wrote:
Superintendent Tommy Chang:

I hope this email finds you doing well. My name is Ammer Soliman, and I am currently a Freshman at Harvard University.

I write to you today in an effort to improve the education that the future generation of leaders will receive at Boston Public Schools. I am not writing to critique your current system--I know many recent graduates from Boston who have received an outstanding education there. Instead, I have begun working on an initiative to improve the education system by bringing the classroom to your home. I call it: **Present**.

I understand the value the Board of Education places on the education of their children and teens. A problem I noticed throughout my years, however, was my inability to learn at home when I was sick at home or on a field trip. During my high school career, I was very involved with extracurricular activities, causing me to miss many days of school--in one particular occasion, I missed 5 days in a row. Whether a student falls ill for a single day or week, attends a class or activity-related field trip, or misses school for any other reason, he or she is missing out on the opportunity to **learn**. Some statistics collected by the well-known, non-partisan research hub, Pew Research Center, show that:

- **Kindergartners** who miss a lot of school have academic problems throughout elementary school, especially if they come from low-income families who lack the resources to make up for missed classroom instruction. For those poor children, the effects of frequent absences in kindergarten can still be measured in fifth grade.
- 56.3 percent of **sixth graders** who were severely chronically absent and 41.6 percent of those who were chronically absent from Baltimore City Public Schools from 1990 through 2000 did not graduate from high school.
- **Ninth graders** who miss a lot of school are more likely to drop out of school than those who did poorly on their eighth-grade tests. In Chicago public schools, 87 percent of those students who missed up to four days a semester graduated in four years. But only 63 percent of those who missed five to nine days a semester, 41 percent of those who missed 10 to 14 days and 21 percent of those who missed 15 to 19 days graduated.

While you probably do not need statistics to know that students who miss class frequently are less likely to perform well in school, considering that they are not present to learn the material, we can address this problem effectively by enhancing the technology in your classrooms. By installing an overhead camera--similar to an overhead projector--and implementing an online portal for students, staff, parents, and administrators alike to access, classes can be uploaded in realtime, allowing kids who are unable to attend class to be present from the comfort of their beds. A student does not need to watch it at 8 AM when his class starts either; rather, he can watch it at a more convenient time because videos of classroom lessons will be uploaded to the portal.

Depending on the direction that your school district would like to take, facial recognition technology and periodic checks can be implemented to ensure the virtual attendance in the classroom. *This would not serve as a substitute to attending school, of course, as there are mandated attendance policies for a reason.* However, it can work to benefit students who are absent or do not understand a lesson and need to re-watch it at home to gain a better grasp. Whether it is mandatory or not to watch these classroom videos is up to the school, including giving students the ability to skip through a video to go to more essential parts. Students who are on attendance contracts or miss school frequently can be required to attend class virtually any time class is missed, while it could be highly encouraged for others who miss class or want to relearn a certain topic.

I'm interested in organizing a meeting to discuss this and its implementation of this technology to help work toward a better education for all. Thank you for the opportunity to reach out to you, and I look forward to progressing.

Best,

Ammer Soliman
Harvard College Class of 2020
B.A. Candidate in Computer Science and Economics

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Carolyn MacNeil
Ombudsperson
Office of the Superintendent | Boston Public Schools

2300 Washington Street, Boston MA 02119
cmacneil@bostonpublicschools.org
mobile: [857-891-1363](tel:857-891-1363)|office: [617-635-9054](tel:617-635-9054)

From: Mark Racine <mracine2@bostonpublicschools.org>
Sent: Thursday, October 13, 2016 3:16 PM EDT
To: MacNeil, Carolyn; Ammer Soliman <Ammer Soliman <asoliman@college.harvard.edu>>
Subject: Re: Improving Boston's Education System

Hi Ammer - I've read your response but I'm hoping you can provide some more information. Are you proposing a new technology or is this an existing program that you would like to bring to BPS? Do you have information that you can send over for our review?

On Thu, Oct 13, 2016 at 3:11 PM MacNeil, Carolyn <cmacneil@bostonpublicschools.org> wrote:
Hi Ammer,

I'm sorry that you have not heard from Mark. He is copied here and I will follow-up with a call. Best Carolyn

On Thu, Oct 13, 2016 at 3:04 PM, Ammer Soliman<asoliman@college.harvard.edu> wrote:
Carolyn,

I hope this email finds you doing well. Unfortunately, I have not yet seen a response from the Director of Technology, and I, alongside with my team, are ready to spearhead this challenge and provide a solution to one of education's most pressing problems. I look forward to furthering our discussion to help save our next generation of leaders.

Best,

Ammer Soliman
Harvard College Class of 2020
B.A Candidate in Computer Science and Economics

On Thu, Oct 6, 2016 at 10:18 AM, MacNeil, Carolyn<cmacneil@bostonpublicschools.org> wrote:
Good morning Ammer,

Thank you for your email. I have cc'd our Director of Technology for follow-up. Regards, Carolyn

On Tue, Oct 4, 2016 at 4:09 PM, Ammer Soliman<asoliman@college.harvard.edu> wrote:
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can be required to attend class virtually any time class is missed, while it could be highly encouraged for others who miss class or want to relearn a certain topic.

I'm interested in organizing a meeting to discuss this and its implementation of this technology to help work toward a better education for all. Thank you for the opportunity to reach out to you, and I look forward to progressing.

Best,

Ammer Soliman
Harvard College Class of 2020
B.A. Candidate in Computer Science and Economics

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You received this message because you are subscribed to the Google Groups "Superintendent" group.

To unsubscribe from this group and stop receiving emails from it, send an email to

superintendent+unsubscribe@bostonpublicschools.org.

To post to this group, send email to superintendent@bostonpublicschools.org.

To view this discussion on the web visit

https://groups.google.com/a/bostonpublicschools.org/d/msgid/superintendent/CAMo_7C5W-8OEMetj4B5ONiGBdCAkMS0yGX8z0MCDTaje7KyQeg%40mail.gmail.com.

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Carolyn MacNeil

Ombudsperson
Office of the Superintendent | Boston Public Schools
2300 Washington Street, Boston MA 02119
cmacneil@bostonpublicschools.org
mobile: [857-891-1363](tel:857-891-1363) | office: [617-635-9054](tel:617-635-9054)

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Carolyn MacNeil

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cmacneil@bostonpublicschools.org
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From: Murphy, David <dmurphy6@bostonpublicschools.org>

Sent: Friday, August 30, 2019 9:23 AM EDT

To: Estrada, Maria

CC: Pelletreau, Kimberly; Consalvo, Robert; Monica Roberts <Monica Roberts <mroberts@bostonpublicschools.org>>; McDonough, Ellen; Abraham Osorio <Abraham Osorio <aosorio2@bostonpublicschools.org>>

Subject: Re: Facial Recognition - TIME SENSITIVE

If I am missing something I apologize, but if the students have voted to support this petition, wouldn't we just communicate exactly that, that the Boston Student Advisory Council - a student governed organization - has voted in favor of this? This doesn't mean the Boston Public Schools or the City of Boston have taken a position one way or another, but aren't the students of this specific organization permitted to take their own position and let it be known? I took everyone else off in case I am missing something here, but if anyone pushes back on that notion, please let me know. Because I think common sense and the constitution permit them to do this.

On Fri, Aug 30, 2019 at 8:26 AM Estrada, Maria <mestrada4@bostonpublicschools.org> wrote:

Good Morning

BSAC members read the letter and have voted to sign on. I will need to reply to the ACLU by noon today to notify them. Below is a copy of the original email sent to Youth on Board staff that has a bit more information.

Subject: re face surveillance in MA schools

I'm writing to see if BSAC/Youth on Board might be interested in joining an effort to push DESE to issue regulations prohibiting the use of face surveillance technology in MA schools.

Specifically, we are concerned that private companies may be taking advantage of legitimate fears about school safety by pushing untested, sometimes even racially biased facial surveillance technology on school districts in Massachusetts. Recently in New York, the Lockport school district spent nearly \$3 million on a face surveillance system—*without* public debate or legislative authorization. After public backlash, the NY state department of education stepped in and told the district it was not allowed to turn the system on.

That makes sense, because there are currently *no regulations* in place to protect students, teachers, or staff from this powerful technology, in either New York or Massachusetts.

We are eager to work with education experts and officials in Massachusetts to make sure something like the Lockport saga doesn't happen here.

Please let me know if you're interested in joining the effort.

Best,

Kade Crockford

Director, Technology for Liberty Program

American Civil Liberties Union of Massachusetts

211 Congress Street, Boston, MA 02110

617.482.3170 x346 | kcrockford@aclum.org

aclum.org | privacysos.org/blog

Best,

Maria Estrada

BSAC Student Engagement Manager

Office of Engagement | Boston Public Schools

2300 Washington Street, Boston MA 02119

617-635-9446

Pronouns: She/Her/Hers

mortiz@bostonpublicschools.org

w: bostonstudentrights.org



On Thu, Aug 29, 2019 at 11:21 AM Pelletreau, Kimberly <kpelletreau@bostonpublicschools.org> wrote:

I haven't heard anything about this. kp

On Thu, Aug 29, 2019 at 9:27 AM Estrada, Maria <mestrada4@bostonpublicschools.org> wrote:

Good Morning Kim, Dave and Rob

BSAC has been asked to sign on to the attached letter to DESE asking for the ban of face surveillance in schools. I

need to gather more information for BSAC members to make an informed decision. Is BPS aware of this? Are you aware if the Mayor may be taking a position on this issue?

The students will need to make a decision by tomorrow morning and I am gathering information to send out to them now.

Please advise.

Maria Estrada
BSAC Student Engagement Manager
Office of Engagement | Boston Public Schools
2300 Washington Street, Boston MA 02119
617-635-9446
Pronouns: She/Her/Hers
mortiz@bostonpublicschools.org
w: bostonstudentrights.org



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Kimberly Pelletreau
Executive Director of Safety Services
Boston Public Schools
2300 Washington Street, Boston MA 02119
kpelletreau@bostonpublicschools.org
mobile: 857-302-8941 |

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David Murphy
Chief of Staff
Boston Public Schools
2300 Washington Street
Roxbury, MA 02119

(p) 617-635-9325

From: Murphy, David <dmurphy6@bostonpublicschools.org>

Sent: Thursday, August 29, 2019 11:22 AM EDT

To: Estrada, Maria; Monica Roberts <Monica Roberts <mroberts@bostonpublicschools.org>>

Subject: Re: Facial Recognition - TIME SENSITIVE

Taking everyone else off for a minute. If BSAC wants to take a post

On Thu, Aug 29, 2019 at 9:27 AM Estrada, Maria <mestrada4@bostonpublicschools.org> wrote:

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Maria Estrada

BSAC Student Engagement Manager

Office of Engagement | Boston Public Schools

2300 Washington Street, Boston MA 02119

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w: bostonstudentrights.org



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David Murphy

Chief of Staff

Boston Public Schools

2300 Washington Street

Roxbury, MA 02119

(p) 617-635-9325

From: McDonough, Ellen <emcdonough2@bostonpublicschools.org>
Sent: Thursday, August 29, 2019 10:04 AM EDT
To: Heather Gasper <Heather Gasper <heather.gasper@boston.gov>>
Subject: Fwd: Facial Recognition - TIME SENSITIVE
Attachment(s): "Letter DESE EF 8-23.docx"

Do you know if the Mayor has a position on this?

----- Forwarded message -----

From: **Estrada, Maria** <mestrada4@bostonpublicschools.org>
Date: Thu, Aug 29, 2019 at 9:27 AM
Subject: Facial Recognition - TIME SENSITIVE
To: Kimberly Pelletreau <kpelletreau@bostonpublicschools.org>, David Murphy <dmurphy6@bostonpublicschools.org>, Consalvo, Robert <rconsalvo@bostonpublicschools.org>
Cc: Monica Roberts <mroberts@bostonpublicschools.org>, McDonough, Ellen <emcdonough2@bostonpublicschools.org>, Abraham Osorio <aosorio2@bostonpublicschools.org>

Good Morning Kim, Dave and Rob

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Maria Estrada
BSAC Student Engagement Manager
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Ellen McDonough
Director of Intergovernmental Relations
Boston Public Schools
617-635-9305
emcdonough2@bostonpublicschools.org

[LOGOS OF ORGANIZATIONS]

August 28, 2019

Via email.

Massachusetts Board of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148
boe@doe.mass.edu

Re: Banning the Use of Face Surveillance in Elementary, Secondary, and Vocational-Technical Schools

Dear Commissioner Riley and Members of the Board:

The undersigned organizations are dedicated to promoting civil rights and civil liberties, equitable educational practices, child welfare, and youth development. We write to express grave concerns about the use of face surveillance in schools, and to ask that the Massachusetts Department of Elementary and Secondary Education ban the use of face surveillance systems in all elementary, secondary, and vocational-technical schools in Massachusetts.

In June, the New York State Education Department barred¹ the Lockport City School District in New York from installing face surveillance technology in schools. Massachusetts should follow New York's example, and ensure face surveillance technologies are not used in any school district in the Commonwealth.

Face surveillance technology allows for the automated identification, tracking, and cataloguing of people based on the unique physical characteristics of their faces. The software works by creating a unique "faceprint" of an individual based on an image of their face. A faceprint can be derived from a photograph or an image captured by a video camera or similar surveillance device. The software can then use a face surveillance algorithm to compare the faceprint against an infinite number of photographs stored in a database, in an attempt match, identify, and learn more information about the person. Face surveillance and other remote biometric tracking technologies facilitate government monitoring of every person's every movement, association, and habit—not just on one day, but on all days—merely with the push of a button.

¹ Thomas J. Prohaska, Education Department bars Lockport schools from testing facial recognition, June 28, 2019, available at <https://buffalonews.com/2019/06/28/education-department-bars-lockport-schools-from-testing-facial-recognition/>

[LOGOS OF ORGANIZATIONS]

The use of face surveillance by both corporations and government entities is currently unregulated in Massachusetts. There are no statutes dictating how or when it may be used, or providing protections for civil rights and civil liberties. In the absence of regulations, the use of the technology is occurring largely in the dark, absent public debate or democratic oversight. In New York, for example, the Lockport City School District planned to adopt face surveillance tools in schools without legislative authorization or public debate. When the public learned about the district's plans, people were outraged, and the state's education department stepped in.

If national trends are any indication, elementary, secondary, and vocational-technical schools in Massachusetts will soon start considering the installation of face surveillance systems here in our Commonwealth. Private companies are eager to provide these services to public institutions. Already, they are targeting police departments.² Emails obtained by the ACLU of Massachusetts indicate surveillance companies are aware that public schools are also a huge market for their products.³

For several reasons, **children should not be subject to face surveillance in schools:**

- Massachusetts schools should be safe environments for students to learn, explore their identities and intellects, and play. Face surveillance technology threatens that environment. Face surveillance in schools transforms all students into perpetual suspects, where each and every one of their movements can be automatically monitored and catalogued. The use of this technology in public schools will chill students from engaging in student dissent, and exploring new ideas.
- This technology is biased and inaccurate, which raises concerns about its use to police students of color. Academic, peer-reviewed studies show face surveillance algorithms are too often racially-biased, particularly against Black women, with inaccuracy rates up to 35 percent for that demographic.⁴ Today, Black and brown students are more likely to be punished for perceived misbehavior.⁵ Face surveillance will only perpetuate and reproduce this situation, calcifying discrimination and racial profiling within schools, and growing the opportunity gap.

² In July 2018, the ACLU of Massachusetts filed requests with dozens of police departments to learn about how they use face surveillance technology. The Plymouth Police Department provided hundreds of emails in response to that request. The emails contain extensive correspondence between a billionaire-backed face surveillance start-up called "Suspect Technologies" and representatives for the Plymouth Police Department. See <https://data.aclum.org/public-records/plymouth-police-department-face-surveillance-emails/>

³ Ibid.

⁴ Joy Buolamwini et al, "Gender Shades," MIT Media Lab. <https://www.media.mit.edu/projects/gender-shades/overview/> and Lauren Rhue, "Emotion-reading tech fails the racial bias test," Phys.org. <https://phys.org/news/2019-01-emotion-reading-tech-racial-bias.html>.

⁵ Teacher treatment of students factors into racial gap in school suspensions, Brown University, July 28, 2019, available at <https://www.brown.edu/news/2019-07-18/discipline>.

[LOGOS OF ORGANIZATIONS]

- Face surveillance in schools will contribute to the “school-to-prison pipeline,”⁶ threatening children’s welfare, educational opportunities, and life trajectories. Already, children from marginalized communities are too often funneled out of public schools and into the juvenile and criminal justice systems. Face surveillance will inevitably grease this pipeline: False positives will result in unnecessary interactions with law enforcement, lost class time, disciplinary action, and potentially even a criminal record.
- Face surveillance technology will harm immigrant families. In this political climate, immigrants are already fearful of engagement with public institutions, and face surveillance systems would further chill student and parent participation in immigrant communities. Massachusetts schools must be welcoming and safe spaces for all families. But in the absence of a statewide rule barring school systems from adopting face surveillance technology, we worry the harms will be borne predominately by these students and families, who are already struggling in often unequal, unfair systems.
- Face surveillance technology regularly misgenders transgender people,⁷ and will have a harmful impact on transgender young people in our schools. Research shows that automatic gender recognition, a subfield of face surveillance technology, “consistently operationalises gender in a trans-exclusive way, and consequently carries disproportionate risk for trans people subject to it.”⁸ At a time when transgender children are being stripped of their rights at a national level,⁹ Massachusetts must protect transgender kids in our schools.
- Safety in school is critical – but it depends on support, not surveillance. The use of this technology will not make schools safer or prevent incidents that endanger children’s lives. Constant surveillance and identification of our children while they are growing up and developing their personalities is not the answer: This technology ratchets up anxiety at a time when students need resources to keep them calm, safe, and feeling accepted.¹⁰

⁶ School-to-prison pipeline, ACLU, available at <https://www.aclu.org/issues/racial-justice/race-and-inequality-education/school-prison-pipeline>

⁷ Facial Recognition Software Regularly Misgenders Trans People, Matthew Gault, Feb. 19, 2019, https://www.vice.com/en_us/article/7xnwed/facial-recognition-software-regularly-misgenders-trans-people

⁸ Os Keyes, The Misgendering Machines: Trans/HCI Implications of Automatic Gender Recognition, University of Washington, USA, available at https://ironholds.org/resources/papers/agr_paper.pdf

⁹ Rebecca Klein, Trump Admin To Transgender Kids: We Won’t Deal With Your Civil Rights Complaints, The Huffington Post, January 2018, available at https://www.huffpost.com/entry/transgender-office-for-civil-rights_n_5a5688ade4b08a1f624b2144?guccounter=1

¹⁰ Anna Minton, CCTV increases people’s sense of anxiety, The Guardian, October 2012, available at <https://www.theguardian.com/society/2012/oct/30/cctv-increases-peoples-sense-anxiety>

[LOGOS OF ORGANIZATIONS]

In Massachusetts, we must take action to ensure children are not subject to this unfair, potentially biased, and chilling scrutiny. The educational community cannot tolerate such an intrusion. In order to protect young people, we must stop face surveillance in schools before it begins.

The Massachusetts Board of Elementary and Secondary Education should ban the use of face surveillance in the schools under its authority.

Legislators and policy-makers at the federal, state, and local levels, all throughout the country, are acknowledging that the current situation with respect to face surveillance cannot continue. For example, in July, a group of House lawmakers, including Massachusetts Representative Ayanna Pressley, proposed a bill banning facial recognition technology from public housing.¹¹ Here in Massachusetts, bills that would place a moratorium on the use of face surveillance by the government were introduced both in the House¹² and in the Senate¹³ on Beacon Hill. Two cities—Somerville¹⁴, Massachusetts; Oakland¹⁵, California; and San Francisco¹⁶, California—recently enacted municipal bans on the use of face surveillance by the local government.

Taking action to stop unregulated face surveillance is popular with Massachusetts voters. A first-of-its-kind poll conducted by Beacon Research found that 76 percent of Massachusetts voters do not think the government should be able to monitor and track people with this technology. Ninety-one percent of Massachusetts voters think the Commonwealth needs to regulate the government's ongoing use of face surveillance technology.¹⁷

As adults, it is our responsibility to ensure we do not normalize constant surveillance for young people. The Commonwealth has the opportunity to demonstrate a real commitment to the well-being of our children in this digital age by banning the use of the technology in Massachusetts schools.

¹¹ Emily Birnbaum, House lawmakers to introduce bill banning facial recognition tech in public housing, The Hill, July, 2019, <https://thehill.com/policy/technology/454404-house-lawmakers-to-introduce-bill-banning-facial-recognition-tech-in-public>

¹² H.1538, available at <https://malegislature.gov/Bills/191/H1538>

¹³ S.1385, available at <https://malegislature.gov/Bills/191/S1385>

¹⁴ Sarah Wu, Somerville City Council passes facial recognition ban, The Boston Globe, June 2019, available at <https://www.bostonglobe.com/metro/2019/06/27/somerville-city-council-passes-facial-recognition-ban/SfaqQ7mG3DGulXonBHSCYK/story.html>

¹⁵ Sarah Ravani, Oakland bans use of facial recognition technology, citing bias concerns, San Francisco Chronicle, July 2019, available at <https://www.sfchronicle.com/bayarea/article/Oakland-bans-use-of-facial-recognition-14101253.php>

¹⁶ K. Conger, R. Fausset, and S. Kovaleski, San Francisco Bans Facial Recognition Technology, The New York Times, May 2019, available <https://www.nytimes.com/2019/05/14/us/facial-recognition-ban-san-francisco.html>

¹⁷ See Massachusetts Voters Strongly Support Pausing Use Of Unregulated Face Recognition Technology, ACLU of Massachusetts, June 18, 2019, available at <https://www.aclum.org/en/news/massachusetts-voters-strongly-support-pausing-use-unregulated-face-recognition-technology>

[LOGOS OF ORGANIZATIONS]

We would like the opportunity to meet with you to discuss the issues we address in this letter. We look forward to being in touch at your earliest convenience, and we thank you for your service to the young people of the Commonwealth.

Sincerely,

Cc
Jeffrey C. Riley
Commissioner of Elementary
And Secondary Education
75 Pleasant Street
Malden, MA 02148-4906
[email]

[SIGNATURES]

From: Estrada, Maria <mestrada4@bostonpublicschools.org>

Sent: Thursday, August 29, 2019 11:25 AM EDT

To: McDonough, Ellen

Subject: Re: Facial Recognition - TIME SENSITIVE

Hi Ellen

I am unsure.

Maria Estrada

BSAC Student Engagement Manager

Office of Engagement | Boston Public Schools

2300 Washington Street, Boston MA 02119

617-635-9446

Pronouns: She/Her/Hers

mortiz@bostonpublicschools.org

w: bostonstudentrights.org



On Thu, Aug 29, 2019 at 10:53 AM McDonough, Ellen <emcdonough2@bostonpublicschools.org> wrote:

IGR is wondering if there was a specific event or incident that triggered this. Can you please let me know?

Thanks!

Ellen

On Thu, Aug 29, 2019 at 9:27 AM Estrada, Maria <mestrada4@bostonpublicschools.org> wrote:

Good Morning Kim, Dave and Rob

BSAC has been asked to sign on to the attached letter to DESE asking for the ban of face surveillance in schools. I need to gather more information for BSAC members to make an informed decision. Is BPS aware of this? Are you aware if the Mayor may be taking a position on this issue?

The students will need to make a decision by tomorrow morning and I am gathering information to send out to them now.

Please advise.

Maria Estrada

BSAC Student Engagement Manager

Office of Engagement | Boston Public Schools

2300 Washington Street, Boston MA 02119

617-635-9446

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w: bostonstudentrights.org



--

Ellen McDonough

Director of Intergovernmental Relations

Boston Public Schools

617-635-9305

emcdonough2@bostonpublicschools.org

From: McDonough, Ellen <emcdonough2@bostonpublicschools.org>

Sent: Thursday, August 29, 2019 10:52 AM EDT

To: Estrada, Maria

Subject: Re: Facial Recognition - TIME SENSITIVE

IGR is wondering if there was a specific event or incident that triggered this. Can you please let me know?

Thanks!

Ellen

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Maria Estrada

BSAC Student Engagement Manager
Office of Engagement | Boston Public Schools
2300 Washington Street, Boston MA 02119
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w: bostonstudentrights.org



--

Ellen McDonough

Director of Intergovernmental Relations

Boston Public Schools

617-635-9305

emcdonough2@bostonpublicschools.org

From: Pelletreau, Kimberly <kpelletreau@bostonpublicschools.org>
Sent: Thursday, August 29, 2019 11:22 AM EDT
To: Thomas Sexton BPD <Thomas Sexton BPD <thomas.sexton@pd.boston.gov>>; Eric Weston <Eric Weston <eweston@bostonpublicschools.org>>; Francis Johnson <Francis Johnson <fmjohnson@bostonpublicschools.org>>; Richard Deraney <Richard Deraney <rderaney@bostonpublicschools.org>>
Subject: Fwd: Facial Recognition - TIME SENSITIVE
Attachment(s): "Letter DESE EF 8-23.docx"

----- Forwarded message -----

From: **Estrada, Maria** <mestrada4@bostonpublicschools.org>
Date: Thu, Aug 29, 2019 at 9:27 AM
Subject: Facial Recognition - TIME SENSITIVE
To: Kimberly Pelletreau <kpelletreau@bostonpublicschools.org>, David Murphy <dmurphy6@bostonpublicschools.org>, Consalvo, Robert <rconsalvo@bostonpublicschools.org>
Cc: Monica Roberts <mroberts@bostonpublicschools.org>, McDonough, Ellen <emcdonough2@bostonpublicschools.org>, Abraham Osorio <aosorio2@bostonpublicschools.org>

Good Morning Kim, Dave and Rob

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□

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Kimberly Pelletreau
Executive Director of Safety Services
Boston Public Schools
2300 Washington Street, Boston MA 02119
kpelletreau@bostonpublicschools.org
mobile: 857-302-8941 |

[LOGOS OF ORGANIZATIONS]

August 28, 2019

Via email.

Massachusetts Board of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148
boe@doe.mass.edu

Re: Banning the Use of Face Surveillance in Elementary, Secondary, and Vocational-Technical Schools

Dear Commissioner Riley and Members of the Board:

The undersigned organizations are dedicated to promoting civil rights and civil liberties, equitable educational practices, child welfare, and youth development. We write to express grave concerns about the use of face surveillance in schools, and to ask that the Massachusetts Department of Elementary and Secondary Education ban the use of face surveillance systems in all elementary, secondary, and vocational-technical schools in Massachusetts.

In June, the New York State Education Department barred¹ the Lockport City School District in New York from installing face surveillance technology in schools. Massachusetts should follow New York's example, and ensure face surveillance technologies are not used in any school district in the Commonwealth.

Face surveillance technology allows for the automated identification, tracking, and cataloguing of people based on the unique physical characteristics of their faces. The software works by creating a unique "faceprint" of an individual based on an image of their face. A faceprint can be derived from a photograph or an image captured by a video camera or similar surveillance device. The software can then use a face surveillance algorithm to compare the faceprint against an infinite number of photographs stored in a database, in an attempt match, identify, and learn more information about the person. Face surveillance and other remote biometric tracking technologies facilitate government monitoring of every person's every movement, association, and habit—not just on one day, but on all days—merely with the push of a button.

¹ Thomas J. Prohaska, Education Department bars Lockport schools from testing facial recognition, June 28, 2019, available at <https://buffalonews.com/2019/06/28/education-department-bars-lockport-schools-from-testing-facial-recognition/>

[LOGOS OF ORGANIZATIONS]

The use of face surveillance by both corporations and government entities is currently unregulated in Massachusetts. There are no statutes dictating how or when it may be used, or providing protections for civil rights and civil liberties. In the absence of regulations, the use of the technology is occurring largely in the dark, absent public debate or democratic oversight. In New York, for example, the Lockport City School District planned to adopt face surveillance tools in schools without legislative authorization or public debate. When the public learned about the district's plans, people were outraged, and the state's education department stepped in.

If national trends are any indication, elementary, secondary, and vocational-technical schools in Massachusetts will soon start considering the installation of face surveillance systems here in our Commonwealth. Private companies are eager to provide these services to public institutions. Already, they are targeting police departments.² Emails obtained by the ACLU of Massachusetts indicate surveillance companies are aware that public schools are also a huge market for their products.³

For several reasons, **children should not be subject to face surveillance in schools:**

- Massachusetts schools should be safe environments for students to learn, explore their identities and intellects, and play. Face surveillance technology threatens that environment. Face surveillance in schools transforms all students into perpetual suspects, where each and every one of their movements can be automatically monitored and catalogued. The use of this technology in public schools will chill students from engaging in student dissent, and exploring new ideas.
- This technology is biased and inaccurate, which raises concerns about its use to police students of color. Academic, peer-reviewed studies show face surveillance algorithms are too often racially-biased, particularly against Black women, with inaccuracy rates up to 35 percent for that demographic.⁴ Today, Black and brown students are more likely to be punished for perceived misbehavior.⁵ Face surveillance will only perpetuate and reproduce this situation, calcifying discrimination and racial profiling within schools, and growing the opportunity gap.

² In July 2018, the ACLU of Massachusetts filed requests with dozens of police departments to learn about how they use face surveillance technology. The Plymouth Police Department provided hundreds of emails in response to that request. The emails contain extensive correspondence between a billionaire-backed face surveillance start-up called "Suspect Technologies" and representatives for the Plymouth Police Department. See <https://data.aclum.org/public-records/plymouth-police-department-face-surveillance-emails/>

³ Ibid.

⁴ Joy Buolamwini et al, "Gender Shades," MIT Media Lab. <https://www.media.mit.edu/projects/gender-shades/overview/> and Lauren Rhue, "Emotion-reading tech fails the racial bias test," Phys.org. <https://phys.org/news/2019-01-emotion-reading-tech-racial-bias.html>.

⁵ Teacher treatment of students factors into racial gap in school suspensions, Brown University, July 28, 2019, available at <https://www.brown.edu/news/2019-07-18/discipline>.

[LOGOS OF ORGANIZATIONS]

- Face surveillance in schools will contribute to the “school-to-prison pipeline,”⁶ threatening children’s welfare, educational opportunities, and life trajectories. Already, children from marginalized communities are too often funneled out of public schools and into the juvenile and criminal justice systems. Face surveillance will inevitably grease this pipeline: False positives will result in unnecessary interactions with law enforcement, lost class time, disciplinary action, and potentially even a criminal record.
- Face surveillance technology will harm immigrant families. In this political climate, immigrants are already fearful of engagement with public institutions, and face surveillance systems would further chill student and parent participation in immigrant communities. Massachusetts schools must be welcoming and safe spaces for all families. But in the absence of a statewide rule barring school systems from adopting face surveillance technology, we worry the harms will be borne predominately by these students and families, who are already struggling in often unequal, unfair systems.
- Face surveillance technology regularly misgenders transgender people,⁷ and will have a harmful impact on transgender young people in our schools. Research shows that automatic gender recognition, a subfield of face surveillance technology, “consistently operationalises gender in a trans-exclusive way, and consequently carries disproportionate risk for trans people subject to it.”⁸ At a time when transgender children are being stripped of their rights at a national level,⁹ Massachusetts must protect transgender kids in our schools.
- Safety in school is critical – but it depends on support, not surveillance. The use of this technology will not make schools safer or prevent incidents that endanger children’s lives. Constant surveillance and identification of our children while they are growing up and developing their personalities is not the answer: This technology ratchets up anxiety at a time when students need resources to keep them calm, safe, and feeling accepted.¹⁰

⁶ School-to-prison pipeline, ACLU, available at <https://www.aclu.org/issues/racial-justice/race-and-inequality-education/school-prison-pipeline>

⁷ Facial Recognition Software Regularly Misgenders Trans People, Matthew Gault, Feb. 19, 2019, https://www.vice.com/en_us/article/7xnwed/facial-recognition-software-regularly-misgenders-trans-people

⁸ Os Keyes, The Misgendering Machines: Trans/HCI Implications of Automatic Gender Recognition, University of Washington, USA, available at https://ironholds.org/resources/papers/agr_paper.pdf

⁹ Rebecca Klein, Trump Admin To Transgender Kids: We Won’t Deal With Your Civil Rights Complaints, The Huffington Post, January 2018, available at https://www.huffpost.com/entry/transgender-office-for-civil-rights_n_5a5688ade4b08a1f624b2144?guccounter=1

¹⁰ Anna Minton, CCTV increases people’s sense of anxiety, The Guardian, October 2012, available at <https://www.theguardian.com/society/2012/oct/30/cctv-increases-peoples-sense-anxiety>

[LOGOS OF ORGANIZATIONS]

In Massachusetts, we must take action to ensure children are not subject to this unfair, potentially biased, and chilling scrutiny. The educational community cannot tolerate such an intrusion. In order to protect young people, we must stop face surveillance in schools before it begins.

The Massachusetts Board of Elementary and Secondary Education should ban the use of face surveillance in the schools under its authority.

Legislators and policy-makers at the federal, state, and local levels, all throughout the country, are acknowledging that the current situation with respect to face surveillance cannot continue. For example, in July, a group of House lawmakers, including Massachusetts Representative Ayanna Pressley, proposed a bill banning facial recognition technology from public housing.¹¹ Here in Massachusetts, bills that would place a moratorium on the use of face surveillance by the government were introduced both in the House¹² and in the Senate¹³ on Beacon Hill. Two cities—Somerville¹⁴, Massachusetts; Oakland¹⁵, California; and San Francisco¹⁶, California—recently enacted municipal bans on the use of face surveillance by the local government.

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As adults, it is our responsibility to ensure we do not normalize constant surveillance for young people. The Commonwealth has the opportunity to demonstrate a real commitment to the well-being of our children in this digital age by banning the use of the technology in Massachusetts schools.

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¹² H.1538, available at <https://malegislature.gov/Bills/191/H1538>

¹³ S.1385, available at <https://malegislature.gov/Bills/191/S1385>

¹⁴ Sarah Wu, Somerville City Council passes facial recognition ban, The Boston Globe, June 2019, available at <https://www.bostonglobe.com/metro/2019/06/27/somerville-city-council-passes-facial-recognition-ban/SfaqQ7mG3DGulXonBHSCYK/story.html>

¹⁵ Sarah Ravani, Oakland bans use of facial recognition technology, citing bias concerns, San Francisco Chronicle, July 2019, available at <https://www.sfchronicle.com/bayarea/article/Oakland-bans-use-of-facial-recognition-14101253.php>

¹⁶ K. Conger, R. Fausset, and S. Kovaleski, San Francisco Bans Facial Recognition Technology, The New York Times, May 2019, available <https://www.nytimes.com/2019/05/14/us/facial-recognition-ban-san-francisco.html>

¹⁷ See Massachusetts Voters Strongly Support Pausing Use Of Unregulated Face Recognition Technology, ACLU of Massachusetts, June 18, 2019, available at <https://www.aclum.org/en/news/massachusetts-voters-strongly-support-pausing-use-unregulated-face-recognition-technology>

[LOGOS OF ORGANIZATIONS]

We would like the opportunity to meet with you to discuss the issues we address in this letter. We look forward to being in touch at your earliest convenience, and we thank you for your service to the young people of the Commonwealth.

Sincerely,

Cc
Jeffrey C. Riley
Commissioner of Elementary
And Secondary Education
75 Pleasant Street
Malden, MA 02148-4906
[email]

[SIGNATURES]

From: Kulasekaran, Kimberly <kphillips@bostonpublicschools.org>
Sent: Monday, July 08, 2019 11:05 AM EDT
To: goyinlola@abacs.org <goyinlola@abacs.org>; cmarmo@abacs.org <cmarmo@abacs.org>
Subject: Fwd: Carter ESY 2019: Let's Do This!

----- Forwarded message -----

From: **Kulasekaran, Kimberly** <kphillips@bostonpublicschools.org>
Date: Sun, Jul 7, 2019 at 1:13 PM
Subject: Carter ESY 2019: Let's Do This!
To: <erin.obrien@sjcme.edu>, Sarah Wakabayashi <swakabayashi@bostonpublicschools.org>, <tovafrancois31@gmail.com>, Abby Marsa <amarsa@bostonpublicschools.org>, Asha Leray <aleray@bostonpublicschools.org>, Charlay Yates <charlay.yates@gmail.com>, Christlene Francois <cfrancois@bostonpublicschools.org>, Colleen Burns <chburns3@gmail.com>, Cortina Brown <cbrown5@bostonpublicschools.org>, Jillian Rondeau <jrondeau@bostonpublicschools.org>, Kevin Tersilas <ktersilas@bostonpublicschools.org>, Malinda McNeil <MMcNeil@boston.k12.ma.us>, Bridget <bbettencourt@bostonpublicschools.org>, Kevin <kcrowley3@bostonpublicschools.org>, Sarah Hogan <shogan4@bostonpublicschools.org>, Shaleah Tersilas <stersilas@bostonpublicschools.org>, Susan Wilson <wilsonss@simmons.edu>, Valdez, Luz <lvaldez@bostonpublicschools.org>, Vivaldi Desrosiers <vdesrosiers@bostonpublicschools.org>, Cheryl Davidson <cdavidson@bostonpublicschools.org>, Meghan Aycock <maycock@bostonpublicschools.org>, Sharon Harrison <sharrison@bostonpublicschools.org>, <katiesipula@gmail.com>

Hello Carter ESY Crew! I am looking forward to seeing each of you tomorrow!

Hours are 9:30-2:30. Teachers and therapists work 6 hour days, 9-3pm.
Paraprofessionals work 5 hour days, 9:30-2:30.
Lunch breaks are 30 minutes.

Just a few reminders:

1. Buses are scheduled to arrive 15 minutes before the start time in the morning. Teachers and Therapists are asked to be prepared to unload the students at 9:15 in the morning.
2. I will come onto each bus to sign-in bus monitors each morning.
3. No open-toe shoes, I know this goes without saying but your dress must be school appropriate.
4. If you received an email from Tanda please login and create an account so that sign in tomorrow morning will be quicker. For those who haven't heard we will be trialing a facial recognition software on a stationary iPad in the main office. This will be your check in and out of school each day. Just in case this malfunctions I will also have a physical sign in sheet at the front desk.
5. My ESY Cell # is 857-399-5746. If you are running late, need to call out sick or need to get in touch with me for any other reason please text or call this number.
6. Our current ESY schedule is filled in with all available information. If you have any questions we can go over it tomorrow at 9am. If you are a related service provider and would like to add your details please do so on the sheet.
[Carter ESY Schedule and Roster](#)
7. If you have not done so already please fill out the staff emergency form found [here](#)
8. ESY Handbook can be found [here](#)
9. Equity Circulars can be found [here](#)

Let's have an awesome ESY! 4 weeks, we can do this!!!! Email, call or text with any questions.

-Kim
857-399-5746
William E. Carter School
396 Northampton Street,
Boston MA 02118

From: Maki, Lisa <lmaki@bostonpublicschools.org>
Sent: Wednesday, July 10, 2019 8:53 AM EDT
To: Erik Berg <Erik Berg <eberg@btu.org>>
CC: Jessica Tang <Jessica Tang <jtang@btu.org>>
Subject: Re: Facial REcognition

Let's discuss by phone when you're available. We are using the app only for digital sign in purposes (no photos) for non-ABA ESY employees.

On Tuesday, July 9, 2019, Erik Berg <eberg@btu.org> wrote:

Thanks for getting back to us on this, Lisa. While we're glad you have ceased using it for ABAs, but I guess this leaves me to wonder, why are you continuing to use it for the other ESY employees? It clearly is not necessary, and seems to be an unwarranted invasion of the privacy of our members.

I will call tomorrow to discuss further,

Erik

On Tue, Jul 9, 2019 at 6:54 PM Maki, Lisa <lmaki@bostonpublicschools.org > wrote:

Hi Erik,

Following up from our conversation today. ESY secured an app to streamline attendance and payroll for ESY workers. The app takes a photo when the person signs in and the sign in is then digitized and uploaded for payroll and attendance. This streamlines our payroll process given the short time frame we are on for ESY workers.

We have ceased the use of the app for the ESY sign in process for ABAs but will continue the digital sign in process for all other ESY employees.

As always, please feel free to call me should you have any questions/concerns.

Best,

Lisa

On Tuesday, July 9, 2019, Erik Berg <eberg@btu.org> wrote:

This is from the email I got:

We have been directed to give our employee ID and email address to our Program Director so they can forward it to a third party and not sure of the name yet I think it is Tandem or something like that. Then that information would be used to enable us to sign in using an ipad. We would use our employee ID and then have a facial scan to verify our identification when signing in and out.

I just wanted to know if this is ok to do? When it comes to bio-metric data such as fingerprints or facial recognition I get really leery and worry about especially in this time of identity theft and data collection without consent.

--

Erik Berg

Executive Vice President

Boston Teachers Union

[180 Mt. Vernon St.](#)

[Boston, MA 02125](#)

[office • 617.288.2000](#)

[mobile • 617.909.5669](#)

[eberg@btu.org](#) • [@ebergteacher](#)

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Lisa Skehill Maki

Director of Labor Relations

Office of Labor Relations | Boston Public Schools

[2300 Washington Street, Boston MA 02119](#)

[lmaki@bostonpublicschools.org](#) | (617) 635-1577

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Erik Berg

Executive Vice President

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Lisa Skehill Maki

Director of Labor Relations

Office of Labor Relations | Boston Public Schools

2300 Washington Street, Boston MA 02119

lmaki@bostonpublicschools.org | (617) 635-1577

From: Brown, Melissa <mbrown3@bostonpublicschools.org>

Sent: Monday, July 08, 2019 6:49 AM EDT

To: Elsa Herrera <Elsa Herrera <eherrera@bostonpublicschools.org>>; Josephine Yu <Josephine Yu <jyu@bostonpublicschools.org>>; Misha Blood <Misha Blood <mblood@bostonpublicschools.org>>; Takiyah Harris <Takiyah Harris <tharris@bostonpublicschools.org>>

Subject: Sign in Mildred

There is a new sign in system for summer school that is using I pad for facial recognition you need to go to main office. You put in BPS ID and that will sign you in

From: Conley, Mark <mconley@bostonpublicschools.org>
Sent: Tuesday, July 09, 2019 2:02 PM EDT
To: Colleen Hart <Colleen Hart <chart@bostonpublicschools.org>>
Subject: ESY Sign- In

Hi Colleen,

I am an 215 day ABA Specialist and I just had a question about a new sign in process that is happening during ESY.

We have been directed to give our employee ID and email address to our Program Director so they can forward it to a third party and not sure of the name yet I think it is Tandem or something like that. Then that information would be used to enable us to sign in using an ipad. We would use our employee ID and then have a facial scan to verify our identification when signing in and out.

I just wanted to know if this is ok to do? When it comes to bio-metric data such as fingerprints or facial recognition I get really leery and worry about especially in this time of identity theft and data collection without consent.

Thank you.

From: Estrada, Maria <mestrada4@bostonpublicschools.org>

Sent: Thursday, August 29, 2019 11:43 AM EDT

To: [REDACTED]

Subject: Facial Recognition in Schools - RESPON

Hello Summer Team

I need your feedback ASAP on this issue. Read the attached letter and let me know by replying back to me directly if you think BSAC should sign on. At the moment, BPS and the Mayor's office were not aware of this issue.

Thanks so much,

Maria Estrada

BSAC Student Engagement Manager
Office of Engagement | Boston Public Schools
2300 Washington Street, Boston MA 02119
617-635-9446

Pronouns: She/Her/Hers

mortiz@bostonpublicschools.org

w: bostonstudentrights.org



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[LOGOS OF ORGANIZATIONS]

August 28, 2019

Via email.

Massachusetts Board of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148
boe@doe.mass.edu

Re: Banning the Use of Face Surveillance in Elementary, Secondary, and Vocational-Technical Schools

Dear Commissioner Riley and Members of the Board:

The undersigned organizations are dedicated to promoting civil rights and civil liberties, equitable educational practices, child welfare, and youth development. We write to express grave concerns about the use of face surveillance in schools, and to ask that the Massachusetts Department of Elementary and Secondary Education ban the use of face surveillance systems in all elementary, secondary, and vocational-technical schools in Massachusetts.

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[LOGOS OF ORGANIZATIONS]

The use of face surveillance by both corporations and government entities is currently unregulated in Massachusetts. There are no statutes dictating how or when it may be used, or providing protections for civil rights and civil liberties. In the absence of regulations, the use of the technology is occurring largely in the dark, absent public debate or democratic oversight. In New York, for example, the Lockport City School District planned to adopt face surveillance tools in schools without legislative authorization or public debate. When the public learned about the district's plans, people were outraged, and the state's education department stepped in.

If national trends are any indication, elementary, secondary, and vocational-technical schools in Massachusetts will soon start considering the installation of face surveillance systems here in our Commonwealth. Private companies are eager to provide these services to public institutions. Already, they are targeting police departments.² Emails obtained by the ACLU of Massachusetts indicate surveillance companies are aware that public schools are also a huge market for their products.³

For several reasons, **children should not be subject to face surveillance in schools:**

- Massachusetts schools should be safe environments for students to learn, explore their identities and intellects, and play. Face surveillance technology threatens that environment. Face surveillance in schools transforms all students into perpetual suspects, where each and every one of their movements can be automatically monitored and catalogued. The use of this technology in public schools will chill students from engaging in student dissent, and exploring new ideas.
- This technology is biased and inaccurate, which raises concerns about its use to police students of color. Academic, peer-reviewed studies show face surveillance algorithms are too often racially-biased, particularly against Black women, with inaccuracy rates up to 35 percent for that demographic.⁴ Today, Black and brown students are more likely to be punished for perceived misbehavior.⁵ Face surveillance will only perpetuate and reproduce this situation, calcifying discrimination and racial profiling within schools, and growing the opportunity gap.

² In July 2018, the ACLU of Massachusetts filed requests with dozens of police departments to learn about how they use face surveillance technology. The Plymouth Police Department provided hundreds of emails in response to that request. The emails contain extensive correspondence between a billionaire-backed face surveillance start-up called "Suspect Technologies" and representatives for the Plymouth Police Department. See <https://data.aclum.org/public-records/plymouth-police-department-face-surveillance-emails/>

³ Ibid.

⁴ Joy Buolamwini et al, "Gender Shades," MIT Media Lab. <https://www.media.mit.edu/projects/gender-shades/overview/> and Lauren Rhue, "Emotion-reading tech fails the racial bias test," Phys.org. <https://phys.org/news/2019-01-emotion-reading-tech-racial-bias.html>.

⁵ Teacher treatment of students factors into racial gap in school suspensions, Brown University, July 28, 2019, available at <https://www.brown.edu/news/2019-07-18/discipline>.

[LOGOS OF ORGANIZATIONS]

- Face surveillance in schools will contribute to the “school-to-prison pipeline,”⁶ threatening children’s welfare, educational opportunities, and life trajectories. Already, children from marginalized communities are too often funneled out of public schools and into the juvenile and criminal justice systems. Face surveillance will inevitably grease this pipeline: False positives will result in unnecessary interactions with law enforcement, lost class time, disciplinary action, and potentially even a criminal record.
- Face surveillance technology will harm immigrant families. In this political climate, immigrants are already fearful of engagement with public institutions, and face surveillance systems would further chill student and parent participation in immigrant communities. Massachusetts schools must be welcoming and safe spaces for all families. But in the absence of a statewide rule barring school systems from adopting face surveillance technology, we worry the harms will be borne predominately by these students and families, who are already struggling in often unequal, unfair systems.
- Face surveillance technology regularly misgenders transgender people,⁷ and will have a harmful impact on transgender young people in our schools. Research shows that automatic gender recognition, a subfield of face surveillance technology, “consistently operationalises gender in a trans-exclusive way, and consequently carries disproportionate risk for trans people subject to it.”⁸ At a time when transgender children are being stripped of their rights at a national level,⁹ Massachusetts must protect transgender kids in our schools.
- Safety in school is critical – but it depends on support, not surveillance. The use of this technology will not make schools safer or prevent incidents that endanger children’s lives. Constant surveillance and identification of our children while they are growing up and developing their personalities is not the answer: This technology ratchets up anxiety at a time when students need resources to keep them calm, safe, and feeling accepted.¹⁰

⁶ School-to-prison pipeline, ACLU, available at <https://www.aclu.org/issues/racial-justice/race-and-inequality-education/school-prison-pipeline>

⁷ Facial Recognition Software Regularly Misgenders Trans People, Matthew Gault, Feb. 19, 2019, https://www.vice.com/en_us/article/7xnwed/facial-recognition-software-regularly-misgenders-trans-people

⁸ Os Keyes, The Misgendering Machines: Trans/HCI Implications of Automatic Gender Recognition, University of Washington, USA, available at https://ironholds.org/resources/papers/agr_paper.pdf

⁹ Rebecca Klein, Trump Admin To Transgender Kids: We Won’t Deal With Your Civil Rights Complaints, The Huffington Post, January 2018, available at https://www.huffpost.com/entry/transgender-office-for-civil-rights_n_5a5688ade4b08a1f624b2144?guccounter=1

¹⁰ Anna Minton, CCTV increases people’s sense of anxiety, The Guardian, October 2012, available at <https://www.theguardian.com/society/2012/oct/30/cctv-increases-peoples-sense-anxiety>

[LOGOS OF ORGANIZATIONS]

In Massachusetts, we must take action to ensure children are not subject to this unfair, potentially biased, and chilling scrutiny. The educational community cannot tolerate such an intrusion. In order to protect young people, we must stop face surveillance in schools before it begins.

The Massachusetts Board of Elementary and Secondary Education should ban the use of face surveillance in the schools under its authority.

Legislators and policy-makers at the federal, state, and local levels, all throughout the country, are acknowledging that the current situation with respect to face surveillance cannot continue. For example, in July, a group of House lawmakers, including Massachusetts Representative Ayanna Pressley, proposed a bill banning facial recognition technology from public housing.¹¹ Here in Massachusetts, bills that would place a moratorium on the use of face surveillance by the government were introduced both in the House¹² and in the Senate¹³ on Beacon Hill. Two cities—Somerville¹⁴, Massachusetts; Oakland¹⁵, California; and San Francisco¹⁶, California—recently enacted municipal bans on the use of face surveillance by the local government.

Taking action to stop unregulated face surveillance is popular with Massachusetts voters. A first-of-its-kind poll conducted by Beacon Research found that 76 percent of Massachusetts voters do not think the government should be able to monitor and track people with this technology. Ninety-one percent of Massachusetts voters think the Commonwealth needs to regulate the government's ongoing use of face surveillance technology.¹⁷

As adults, it is our responsibility to ensure we do not normalize constant surveillance for young people. The Commonwealth has the opportunity to demonstrate a real commitment to the well-being of our children in this digital age by banning the use of the technology in Massachusetts schools.

¹¹ Emily Birnbaum, House lawmakers to introduce bill banning facial recognition tech in public housing, The Hill, July, 2019, <https://thehill.com/policy/technology/454404-house-lawmakers-to-introduce-bill-banning-facial-recognition-tech-in-public>

¹² H.1538, available at <https://malegislature.gov/Bills/191/H1538>

¹³ S.1385, available at <https://malegislature.gov/Bills/191/S1385>

¹⁴ Sarah Wu, Somerville City Council passes facial recognition ban, The Boston Globe, June 2019, available at <https://www.bostonglobe.com/metro/2019/06/27/somerville-city-council-passes-facial-recognition-ban/SfaqQ7mG3DGulXonBHSCYK/story.html>

¹⁵ Sarah Ravani, Oakland bans use of facial recognition technology, citing bias concerns, San Francisco Chronicle, July 2019, available at <https://www.sfchronicle.com/bayarea/article/Oakland-bans-use-of-facial-recognition-14101253.php>

¹⁶ K. Conger, R. Fausset, and S. Kovaleski, San Francisco Bans Facial Recognition Technology, The New York Times, May 2019, available <https://www.nytimes.com/2019/05/14/us/facial-recognition-ban-san-francisco.html>

¹⁷ See Massachusetts Voters Strongly Support Pausing Use Of Unregulated Face Recognition Technology, ACLU of Massachusetts, June 18, 2019, available at <https://www.aclum.org/en/news/massachusetts-voters-strongly-support-pausing-use-unregulated-face-recognition-technology>

[LOGOS OF ORGANIZATIONS]

We would like the opportunity to meet with you to discuss the issues we address in this letter. We look forward to being in touch at your earliest convenience, and we thank you for your service to the young people of the Commonwealth.

Sincerely,

Cc
Jeffrey C. Riley
Commissioner of Elementary
And Secondary Education
75 Pleasant Street
Malden, MA 02148-4906
[email]

[SIGNATURES]

From: Estrada, Maria <mestrada4@bostonpublicschools.org>

Sent: Thursday, August 29, 2019 9:05 AM EDT

To: Kimberly Pelletreau <Kimberly Pelletreau <kpelletreau@bostonpublicschools.org>>; David Murphy <David Murphy <dmurphy6@bostonpublicschools.org>>

CC: Monica Roberts <Monica Roberts <mroberts@bostonpublicschools.org>>

Subject: Facial Recognition

Attachment(s): "Letter DESE EF 8-23.docx"

Hello

BSAC has been asked to sign on to the attached letter to DESE asking for the ban of face surveillance in schools. I wanted to check in first to see if BPS is aware of this and our position as a district. See attached letter.

Please advise.

Maria Estrada

BSAC Student Engagement Manager
Office of Engagement | Boston Public Schools
2300 Washington Street, Boston MA 02119
617-635-9446

Pronouns: She/Her/Hers

mortiz@bostonpublicschools.org

w: bostonstudentrights.org



□

[LOGOS OF ORGANIZATIONS]

August 28, 2019

Via email.

Massachusetts Board of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148
boe@doe.mass.edu

Re: Banning the Use of Face Surveillance in Elementary, Secondary, and Vocational-Technical Schools

Dear Commissioner Riley and Members of the Board:

The undersigned organizations are dedicated to promoting civil rights and civil liberties, equitable educational practices, child welfare, and youth development. We write to express grave concerns about the use of face surveillance in schools, and to ask that the Massachusetts Department of Elementary and Secondary Education ban the use of face surveillance systems in all elementary, secondary, and vocational-technical schools in Massachusetts.

In June, the New York State Education Department barred¹ the Lockport City School District in New York from installing face surveillance technology in schools. Massachusetts should follow New York's example, and ensure face surveillance technologies are not used in any school district in the Commonwealth.

Face surveillance technology allows for the automated identification, tracking, and cataloguing of people based on the unique physical characteristics of their faces. The software works by creating a unique "faceprint" of an individual based on an image of their face. A faceprint can be derived from a photograph or an image captured by a video camera or similar surveillance device. The software can then use a face surveillance algorithm to compare the faceprint against an infinite number of photographs stored in a database, in an attempt match, identify, and learn more information about the person. Face surveillance and other remote biometric tracking technologies facilitate government monitoring of every person's every movement, association, and habit—not just on one day, but on all days—merely with the push of a button.

¹ Thomas J. Prohaska, Education Department bars Lockport schools from testing facial recognition, June 28, 2019, available at <https://buffalonews.com/2019/06/28/education-department-bars-lockport-schools-from-testing-facial-recognition/>

[LOGOS OF ORGANIZATIONS]

The use of face surveillance by both corporations and government entities is currently unregulated in Massachusetts. There are no statutes dictating how or when it may be used, or providing protections for civil rights and civil liberties. In the absence of regulations, the use of the technology is occurring largely in the dark, absent public debate or democratic oversight. In New York, for example, the Lockport City School District planned to adopt face surveillance tools in schools without legislative authorization or public debate. When the public learned about the district's plans, people were outraged, and the state's education department stepped in.

If national trends are any indication, elementary, secondary, and vocational-technical schools in Massachusetts will soon start considering the installation of face surveillance systems here in our Commonwealth. Private companies are eager to provide these services to public institutions. Already, they are targeting police departments.² Emails obtained by the ACLU of Massachusetts indicate surveillance companies are aware that public schools are also a huge market for their products.³

For several reasons, **children should not be subject to face surveillance in schools:**

- Massachusetts schools should be safe environments for students to learn, explore their identities and intellects, and play. Face surveillance technology threatens that environment. Face surveillance in schools transforms all students into perpetual suspects, where each and every one of their movements can be automatically monitored and catalogued. The use of this technology in public schools will chill students from engaging in student dissent, and exploring new ideas.
- This technology is biased and inaccurate, which raises concerns about its use to police students of color. Academic, peer-reviewed studies show face surveillance algorithms are too often racially-biased, particularly against Black women, with inaccuracy rates up to 35 percent for that demographic.⁴ Today, Black and brown students are more likely to be punished for perceived misbehavior.⁵ Face surveillance will only perpetuate and reproduce this situation, calcifying discrimination and racial profiling within schools, and growing the opportunity gap.

² In July 2018, the ACLU of Massachusetts filed requests with dozens of police departments to learn about how they use face surveillance technology. The Plymouth Police Department provided hundreds of emails in response to that request. The emails contain extensive correspondence between a billionaire-backed face surveillance start-up called "Suspect Technologies" and representatives for the Plymouth Police Department. See <https://data.aclum.org/public-records/plymouth-police-department-face-surveillance-emails/>

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[LOGOS OF ORGANIZATIONS]

- Face surveillance in schools will contribute to the “school-to-prison pipeline,”⁶ threatening children’s welfare, educational opportunities, and life trajectories. Already, children from marginalized communities are too often funneled out of public schools and into the juvenile and criminal justice systems. Face surveillance will inevitably grease this pipeline: False positives will result in unnecessary interactions with law enforcement, lost class time, disciplinary action, and potentially even a criminal record.
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⁹ Rebecca Klein, Trump Admin To Transgender Kids: We Won’t Deal With Your Civil Rights Complaints, The Huffington Post, January 2018, available at https://www.huffpost.com/entry/transgender-office-for-civil-rights_n_5a5688ade4b08a1f624b2144?guccounter=1

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[LOGOS OF ORGANIZATIONS]

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As adults, it is our responsibility to ensure we do not normalize constant surveillance for young people. The Commonwealth has the opportunity to demonstrate a real commitment to the well-being of our children in this digital age by banning the use of the technology in Massachusetts schools.

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¹⁶ K. Conger, R. Fausset, and S. Kovaleski, San Francisco Bans Facial Recognition Technology, The New York Times, May 2019, available <https://www.nytimes.com/2019/05/14/us/facial-recognition-ban-san-francisco.html>

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[LOGOS OF ORGANIZATIONS]

We would like the opportunity to meet with you to discuss the issues we address in this letter. We look forward to being in touch at your earliest convenience, and we thank you for your service to the young people of the Commonwealth.

Sincerely,

Cc
Jeffrey C. Riley
Commissioner of Elementary
And Secondary Education
75 Pleasant Street
Malden, MA 02148-4906
[email]

[SIGNATURES]

From: Estrada, Maria <mestrada4@bostonpublicschools.org>

Sent: Thursday, August 29, 2019 9:26 AM EDT

To: Kimberly Pelletreau <Kimberly Pelletreau <kpelletreau@bostonpublicschools.org>>; David Murphy <David Murphy <dmurphy6@bostonpublicschools.org>>; Consalvo, Robert

CC: Monica Roberts <Monica Roberts <mroberts@bostonpublicschools.org>>; McDonough, Ellen

Subject: Facial Recognition

Attachment(s): "Letter DESE EF 8-23.docx"

Good Morning Kim, Dave and Rob

BSAC has been asked to sign on to the attached letter to DESE asking for the ban of face surveillance in schools. I need to gather more information for BSAC members to make an informed decision. Is BPS aware of this? Are you aware if the Mayor may be taking a position on this issue?

The students will need to make a decision by tomorrow morning and I am gathering information to send out to them now.

Please advise.

Maria Estrada

BSAC Student Engagement Manager

Office of Engagement | Boston Public Schools

2300 Washington Street, Boston MA 02119

617-635-9446

Pronouns: She/Her/Hers

mortiz@bostonpublicschools.org

w: bostonstudentrights.org



□

From: Estrada, Maria <mestrada4@bostonpublicschools.org>

Sent: Thursday, August 29, 2019 8:42 AM EDT

Subject: Facial Recognition

Hello

BSAC has been asked to sign on to this letter to DESE. I wanted to check in first to see if BPS is aware of this and our position as a district. I am sure students and families in Boston will not be in support.

Maria Estrada

BSAC Student Engagement Manager

Office of Engagement | Boston Public Schools

2300 Washington Street, Boston MA 02119

617-635-9446

Pronouns: She/Her/Hers

mortiz@bostonpublicschools.org

w: bostonstudentrights.org



□

From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Sent: Thursday, August 29, 2019 12:27 PM EDT
To: [REDACTED] >>
Subject: Fwd: Facial Recognition in Schools - RESPONSE NEEDED ASAP!
Attachment(s): "Letter DESE EF 8-23.docx"

can you read and respond?

thx

Maria Estrada
BSAC Student Engagement Manager
Office of Engagement | Boston Public Schools
2300 Washington Street, Boston MA 02119
617-635-9446
Pronouns: She/Her/Hers
mortiz@bostonpublicschools.org
w: bostonstudentrights.org



----- Forwarded message -----

From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Date: Thu, Aug 29, 2019 at 11:45 AM
Subject: Facial Recognition in Schools - RESPONSE NEEDED ASAP!
To: [REDACTED]

Cc: Abraham Osorio <aosorio2@bostonpublicschools.org>, YOB - Jenny Sazama <jenny@youthonboard.org>, Rachel Gunther <rachel@youthonboard.org>

Hello Summer Team

I need your feedback ASAP on this issue. Read the attached letter and let me know by replying back to me directly if you think BSAC should sign on. At the moment, BPS and the Mayor's office were not aware of this issue.

Please do not circulate.

Thanks so much,

Maria Estrada
BSAC Student Engagement Manager
Office of Engagement | Boston Public Schools
2300 Washington Street, Boston MA 02119
617-635-9446
Pronouns: She/Her/Hers
mortiz@bostonpublicschools.org
w: bostonstudentrights.org



[LOGOS OF ORGANIZATIONS]

August 28, 2019

Via email.

Massachusetts Board of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148
boe@doe.mass.edu

Re: Banning the Use of Face Surveillance in Elementary, Secondary, and Vocational-Technical Schools

Dear Commissioner Riley and Members of the Board:

The undersigned organizations are dedicated to promoting civil rights and civil liberties, equitable educational practices, child welfare, and youth development. We write to express grave concerns about the use of face surveillance in schools, and to ask that the Massachusetts Department of Elementary and Secondary Education ban the use of face surveillance systems in all elementary, secondary, and vocational-technical schools in Massachusetts.

In June, the New York State Education Department barred¹ the Lockport City School District in New York from installing face surveillance technology in schools. Massachusetts should follow New York's example, and ensure face surveillance technologies are not used in any school district in the Commonwealth.

Face surveillance technology allows for the automated identification, tracking, and cataloguing of people based on the unique physical characteristics of their faces. The software works by creating a unique "faceprint" of an individual based on an image of their face. A faceprint can be derived from a photograph or an image captured by a video camera or similar surveillance device. The software can then use a face surveillance algorithm to compare the faceprint against an infinite number of photographs stored in a database, in an attempt match, identify, and learn more information about the person. Face surveillance and other remote biometric tracking technologies facilitate government monitoring of every person's every movement, association, and habit—not just on one day, but on all days—merely with the push of a button.

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[LOGOS OF ORGANIZATIONS]

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If national trends are any indication, elementary, secondary, and vocational-technical schools in Massachusetts will soon start considering the installation of face surveillance systems here in our Commonwealth. Private companies are eager to provide these services to public institutions. Already, they are targeting police departments.² Emails obtained by the ACLU of Massachusetts indicate surveillance companies are aware that public schools are also a huge market for their products.³

For several reasons, **children should not be subject to face surveillance in schools:**

- Massachusetts schools should be safe environments for students to learn, explore their identities and intellects, and play. Face surveillance technology threatens that environment. Face surveillance in schools transforms all students into perpetual suspects, where each and every one of their movements can be automatically monitored and catalogued. The use of this technology in public schools will chill students from engaging in student dissent, and exploring new ideas.
- This technology is biased and inaccurate, which raises concerns about its use to police students of color. Academic, peer-reviewed studies show face surveillance algorithms are too often racially-biased, particularly against Black women, with inaccuracy rates up to 35 percent for that demographic.⁴ Today, Black and brown students are more likely to be punished for perceived misbehavior.⁵ Face surveillance will only perpetuate and reproduce this situation, calcifying discrimination and racial profiling within schools, and growing the opportunity gap.

² In July 2018, the ACLU of Massachusetts filed requests with dozens of police departments to learn about how they use face surveillance technology. The Plymouth Police Department provided hundreds of emails in response to that request. The emails contain extensive correspondence between a billionaire-backed face surveillance start-up called "Suspect Technologies" and representatives for the Plymouth Police Department. See <https://data.aclum.org/public-records/plymouth-police-department-face-surveillance-emails/>

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⁵ Teacher treatment of students factors into racial gap in school suspensions, Brown University, July 28, 2019, available at <https://www.brown.edu/news/2019-07-18/discipline>.

[LOGOS OF ORGANIZATIONS]

- Face surveillance in schools will contribute to the “school-to-prison pipeline,”⁶ threatening children’s welfare, educational opportunities, and life trajectories. Already, children from marginalized communities are too often funneled out of public schools and into the juvenile and criminal justice systems. Face surveillance will inevitably grease this pipeline: False positives will result in unnecessary interactions with law enforcement, lost class time, disciplinary action, and potentially even a criminal record.
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- Face surveillance technology regularly misgenders transgender people,⁷ and will have a harmful impact on transgender young people in our schools. Research shows that automatic gender recognition, a subfield of face surveillance technology, “consistently operationalises gender in a trans-exclusive way, and consequently carries disproportionate risk for trans people subject to it.”⁸ At a time when transgender children are being stripped of their rights at a national level,⁹ Massachusetts must protect transgender kids in our schools.
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¹⁰ Anna Minton, CCTV increases people’s sense of anxiety, The Guardian, October 2012, available at <https://www.theguardian.com/society/2012/oct/30/cctv-increases-peoples-sense-anxiety>

[LOGOS OF ORGANIZATIONS]

In Massachusetts, we must take action to ensure children are not subject to this unfair, potentially biased, and chilling scrutiny. The educational community cannot tolerate such an intrusion. In order to protect young people, we must stop face surveillance in schools before it begins.

The Massachusetts Board of Elementary and Secondary Education should ban the use of face surveillance in the schools under its authority.

Legislators and policy-makers at the federal, state, and local levels, all throughout the country, are acknowledging that the current situation with respect to face surveillance cannot continue. For example, in July, a group of House lawmakers, including Massachusetts Representative Ayanna Pressley, proposed a bill banning facial recognition technology from public housing.¹¹ Here in Massachusetts, bills that would place a moratorium on the use of face surveillance by the government were introduced both in the House¹² and in the Senate¹³ on Beacon Hill. Two cities—Somerville¹⁴, Massachusetts; Oakland¹⁵, California; and San Francisco¹⁶, California—recently enacted municipal bans on the use of face surveillance by the local government.

Taking action to stop unregulated face surveillance is popular with Massachusetts voters. A first-of-its-kind poll conducted by Beacon Research found that 76 percent of Massachusetts voters do not think the government should be able to monitor and track people with this technology. Ninety-one percent of Massachusetts voters think the Commonwealth needs to regulate the government's ongoing use of face surveillance technology.¹⁷

As adults, it is our responsibility to ensure we do not normalize constant surveillance for young people. The Commonwealth has the opportunity to demonstrate a real commitment to the well-being of our children in this digital age by banning the use of the technology in Massachusetts schools.

¹¹ Emily Birnbaum, House lawmakers to introduce bill banning facial recognition tech in public housing, The Hill, July, 2019, <https://thehill.com/policy/technology/454404-house-lawmakers-to-introduce-bill-banning-facial-recognition-tech-in-public>

¹² H.1538, available at <https://malegislature.gov/Bills/191/H1538>

¹³ S.1385, available at <https://malegislature.gov/Bills/191/S1385>

¹⁴ Sarah Wu, Somerville City Council passes facial recognition ban, The Boston Globe, June 2019, available at <https://www.bostonglobe.com/metro/2019/06/27/somerville-city-council-passes-facial-recognition-ban/SfaqQ7mG3DGulXonBHSCYK/story.html>

¹⁵ Sarah Ravani, Oakland bans use of facial recognition technology, citing bias concerns, San Francisco Chronicle, July 2019, available at <https://www.sfchronicle.com/bayarea/article/Oakland-bans-use-of-facial-recognition-14101253.php>

¹⁶ K. Conger, R. Fausset, and S. Kovaleski, San Francisco Bans Facial Recognition Technology, The New York Times, May 2019, available <https://www.nytimes.com/2019/05/14/us/facial-recognition-ban-san-francisco.html>

¹⁷ See Massachusetts Voters Strongly Support Pausing Use Of Unregulated Face Recognition Technology, ACLU of Massachusetts, June 18, 2019, available at <https://www.aclum.org/en/news/massachusetts-voters-strongly-support-pausing-use-unregulated-face-recognition-technology>

[LOGOS OF ORGANIZATIONS]

We would like the opportunity to meet with you to discuss the issues we address in this letter. We look forward to being in touch at your earliest convenience, and we thank you for your service to the young people of the Commonwealth.

Sincerely,

Cc
Jeffrey C. Riley
Commissioner of Elementary
And Secondary Education
75 Pleasant Street
Malden, MA 02148-4906
[email]

[SIGNATURES]

From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Sent: Thursday, August 29, 2019 12:27 PM EDT
Subject: Fwd: Facial Recognition in Schools - RESPONSE NEEDED ASAP!
Attachment(s): "Letter DESE EF 8-23.docx"

Maria Estrada

BSAC Student Engagement Manager
Office of Engagement | Boston Public Schools
2300 Washington Street, Boston MA 02119
617-635-9446
Pronouns: She/Her/Hers
mortiz@bostonpublicschools.org
w: bostonstudentrights.org



----- Forwarded message -----

From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Date: Thu, Aug 29, 2019 at 11:45 AM
Subject: Facial Recognition in Schools - RESPONSE NEEDED ASAP!
To: [REDACTED]

Cc: Abraham Osorio <aosorio2@bostonpublicschools.org>, YOYB - Jenny Sazama <jenny@youthonboard.org>, Rachel Gunther <rachel@youthonboard.org>

Hello Summer Team

I need your feedback ASAP on this issue. Read the attached letter and let me know by replying back to me directly if you think BSAC should sign on. At the moment, BPS and the Mayor's office were not aware of this issue.

Please do not circulate.

Thanks so much,

Maria Estrada

BSAC Student Engagement Manager
Office of Engagement | Boston Public Schools
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617-635-9446
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[LOGOS OF ORGANIZATIONS]

August 28, 2019

Via email.

Massachusetts Board of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148
boe@doe.mass.edu

Re: Banning the Use of Face Surveillance in Elementary, Secondary, and Vocational-Technical Schools

Dear Commissioner Riley and Members of the Board:

The undersigned organizations are dedicated to promoting civil rights and civil liberties, equitable educational practices, child welfare, and youth development. We write to express grave concerns about the use of face surveillance in schools, and to ask that the Massachusetts Department of Elementary and Secondary Education ban the use of face surveillance systems in all elementary, secondary, and vocational-technical schools in Massachusetts.

In June, the New York State Education Department barred¹ the Lockport City School District in New York from installing face surveillance technology in schools. Massachusetts should follow New York's example, and ensure face surveillance technologies are not used in any school district in the Commonwealth.

Face surveillance technology allows for the automated identification, tracking, and cataloguing of people based on the unique physical characteristics of their faces. The software works by creating a unique "faceprint" of an individual based on an image of their face. A faceprint can be derived from a photograph or an image captured by a video camera or similar surveillance device. The software can then use a face surveillance algorithm to compare the faceprint against an infinite number of photographs stored in a database, in an attempt match, identify, and learn more information about the person. Face surveillance and other remote biometric tracking technologies facilitate government monitoring of every person's every movement, association, and habit—not just on one day, but on all days—merely with the push of a button.

¹ Thomas J. Prohaska, Education Department bars Lockport schools from testing facial recognition, June 28, 2019, available at <https://buffalonews.com/2019/06/28/education-department-bars-lockport-schools-from-testing-facial-recognition/>

[LOGOS OF ORGANIZATIONS]

The use of face surveillance by both corporations and government entities is currently unregulated in Massachusetts. There are no statutes dictating how or when it may be used, or providing protections for civil rights and civil liberties. In the absence of regulations, the use of the technology is occurring largely in the dark, absent public debate or democratic oversight. In New York, for example, the Lockport City School District planned to adopt face surveillance tools in schools without legislative authorization or public debate. When the public learned about the district's plans, people were outraged, and the state's education department stepped in.

If national trends are any indication, elementary, secondary, and vocational-technical schools in Massachusetts will soon start considering the installation of face surveillance systems here in our Commonwealth. Private companies are eager to provide these services to public institutions. Already, they are targeting police departments.² Emails obtained by the ACLU of Massachusetts indicate surveillance companies are aware that public schools are also a huge market for their products.³

For several reasons, **children should not be subject to face surveillance in schools:**

- Massachusetts schools should be safe environments for students to learn, explore their identities and intellects, and play. Face surveillance technology threatens that environment. Face surveillance in schools transforms all students into perpetual suspects, where each and every one of their movements can be automatically monitored and catalogued. The use of this technology in public schools will chill students from engaging in student dissent, and exploring new ideas.
- This technology is biased and inaccurate, which raises concerns about its use to police students of color. Academic, peer-reviewed studies show face surveillance algorithms are too often racially-biased, particularly against Black women, with inaccuracy rates up to 35 percent for that demographic.⁴ Today, Black and brown students are more likely to be punished for perceived misbehavior.⁵ Face surveillance will only perpetuate and reproduce this situation, calcifying discrimination and racial profiling within schools, and growing the opportunity gap.

² In July 2018, the ACLU of Massachusetts filed requests with dozens of police departments to learn about how they use face surveillance technology. The Plymouth Police Department provided hundreds of emails in response to that request. The emails contain extensive correspondence between a billionaire-backed face surveillance start-up called "Suspect Technologies" and representatives for the Plymouth Police Department. See <https://data.aclum.org/public-records/plymouth-police-department-face-surveillance-emails/>

³ Ibid.

⁴ Joy Buolamwini et al, "Gender Shades," MIT Media Lab. <https://www.media.mit.edu/projects/gender-shades/overview/> and Lauren Rhue, "Emotion-reading tech fails the racial bias test," Phys.org. <https://phys.org/news/2019-01-emotion-reading-tech-racial-bias.html>.

⁵ Teacher treatment of students factors into racial gap in school suspensions, Brown University, July 28, 2019, available at <https://www.brown.edu/news/2019-07-18/discipline>.

[LOGOS OF ORGANIZATIONS]

- Face surveillance in schools will contribute to the “school-to-prison pipeline,”⁶ threatening children’s welfare, educational opportunities, and life trajectories. Already, children from marginalized communities are too often funneled out of public schools and into the juvenile and criminal justice systems. Face surveillance will inevitably grease this pipeline: False positives will result in unnecessary interactions with law enforcement, lost class time, disciplinary action, and potentially even a criminal record.
- Face surveillance technology will harm immigrant families. In this political climate, immigrants are already fearful of engagement with public institutions, and face surveillance systems would further chill student and parent participation in immigrant communities. Massachusetts schools must be welcoming and safe spaces for all families. But in the absence of a statewide rule barring school systems from adopting face surveillance technology, we worry the harms will be borne predominately by these students and families, who are already struggling in often unequal, unfair systems.
- Face surveillance technology regularly misgenders transgender people,⁷ and will have a harmful impact on transgender young people in our schools. Research shows that automatic gender recognition, a subfield of face surveillance technology, “consistently operationalises gender in a trans-exclusive way, and consequently carries disproportionate risk for trans people subject to it.”⁸ At a time when transgender children are being stripped of their rights at a national level,⁹ Massachusetts must protect transgender kids in our schools.
- Safety in school is critical – but it depends on support, not surveillance. The use of this technology will not make schools safer or prevent incidents that endanger children’s lives. Constant surveillance and identification of our children while they are growing up and developing their personalities is not the answer: This technology ratchets up anxiety at a time when students need resources to keep them calm, safe, and feeling accepted.¹⁰

⁶ School-to-prison pipeline, ACLU, available at <https://www.aclu.org/issues/racial-justice/race-and-inequality-education/school-prison-pipeline>

⁷ Facial Recognition Software Regularly Misgenders Trans People, Matthew Gault, Feb. 19, 2019, https://www.vice.com/en_us/article/7xnwed/facial-recognition-software-regularly-misgenders-trans-people

⁸ Os Keyes, The Misgendering Machines: Trans/HCI Implications of Automatic Gender Recognition, University of Washington, USA, available at https://ironholds.org/resources/papers/agr_paper.pdf

⁹ Rebecca Klein, Trump Admin To Transgender Kids: We Won’t Deal With Your Civil Rights Complaints, The Huffington Post, January 2018, available at https://www.huffpost.com/entry/transgender-office-for-civil-rights_n_5a5688ade4b08a1f624b2144?guccounter=1

¹⁰ Anna Minton, CCTV increases people’s sense of anxiety, The Guardian, October 2012, available at <https://www.theguardian.com/society/2012/oct/30/cctv-increases-peoples-sense-anxiety>

[LOGOS OF ORGANIZATIONS]

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¹⁴ Sarah Wu, Somerville City Council passes facial recognition ban, The Boston Globe, June 2019, available at <https://www.bostonglobe.com/metro/2019/06/27/somerville-city-council-passes-facial-recognition-ban/SfaqQ7mG3DGulXonBHSCYK/story.html>

¹⁵ Sarah Ravani, Oakland bans use of facial recognition technology, citing bias concerns, San Francisco Chronicle, July 2019, available at <https://www.sfchronicle.com/bayarea/article/Oakland-bans-use-of-facial-recognition-14101253.php>

¹⁶ K. Conger, R. Fausset, and S. Kovaleski, San Francisco Bans Facial Recognition Technology, The New York Times, May 2019, available <https://www.nytimes.com/2019/05/14/us/facial-recognition-ban-san-francisco.html>

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We would like the opportunity to meet with you to discuss the issues we address in this letter. We look forward to being in touch at your earliest convenience, and we thank you for your service to the young people of the Commonwealth.

Sincerely,

Cc
Jeffrey C. Riley
Commissioner of Elementary
And Secondary Education
75 Pleasant Street
Malden, MA 02148-4906
[email]

[SIGNATURES]

From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Sent: Friday, August 30, 2019 8:25 AM EDT
To: Pelletreau, Kimberly
CC: David Murphy <dmurphy6@bostonpublicschools.org>; Consalvo, Robert; Monica Roberts <Monica Roberts <mroberts@bostonpublicschools.org>>; McDonough, Ellen; Abraham Osorio <Abraham Osorio <aosorio2@bostonpublicschools.org>>
Subject: Re: Facial Recognition - TIME SENSITIVE

Good Morning

BSAC members read the letter and have voted to sign on. I will need to reply to the ACLU by noon today to notify them. Below is a copy of the original email sent to Youth on Board staff that has a bit more information.

From: Kade Crockford
Sent: Monday, August 26, 2019 10:47:46 AM
Subject: re face surveillance in MA schools

I'm writing to see if BSAC/Youth on Board might be interested in joining an effort to push DESE to issue regulations prohibiting the use of face surveillance technology in MA schools.

Specifically, we are concerned that private companies may be taking advantage of legitimate fears about school safety by pushing untested, sometimes even racially biased facial surveillance technology on school districts in Massachusetts. Recently in New York, the Lockport school district spent nearly \$3 million on a face surveillance system—*without* public debate or legislative authorization. After public backlash, the NY state department of education stepped in and told the district it was not allowed to turn the system on.

That makes sense, because there are currently *no regulations* in place to protect students, teachers, or staff from this powerful technology, in either New York or Massachusetts.

We are eager to work with education experts and officials in Massachusetts to make sure something like the Lockport saga doesn't happen here.

Please let me know if you're interested in joining the effort and I can provide more information, including a letter to DESE we are collecting sign-ons to.

Best,

Kade Crockford
Director, Technology for Liberty Program
American Civil Liberties Union of Massachusetts
211 Congress Street, Boston, MA 02110
617.482.3170 x346 | kcrockford@aclum.org
aclum.org | privacysos.org/blog

Best,

Maria Estrada
BSAC Student Engagement Manager
Office of Engagement | Boston Public Schools
2300 Washington Street, Boston MA 02119
617-635-9446
Pronouns: She/Her/Hers
mortiz@bostonpublicschools.org
w: bostonstudentrights.org



On Thu, Aug 29, 2019 at 11:21 AM Pelletreau, Kimberly <kpelletreau@bostonpublicschools.org> wrote:
I haven't heard anything about this. kp

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The students will need to make a decision by tomorrow morning and I am gathering information to send out to them now.

Please advise.

Maria Estrada

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2300 Washington Street, Boston MA 02119
617-635-9446

Pronouns: She/Her/Hers

mortiz@bostonpublicschools.org

w: bostonstudentrights.org



□

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Kimberly Pelletreau
Executive Director of Safety Services
Boston Public Schools
2300 Washington Street, Boston MA 02119
kpelletreau@bostonpublicschools.org
mobile: 857-302-8941 |

From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Sent: Thursday, August 29, 2019 11:25 AM EDT
To: McDonough, Ellen
Subject: Re: Facial Recognition - TIME SENSITIVE

Hi Ellen

Not that I am aware of at this moment.

Maria Estrada

BSAC Student Engagement Manager
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w: bostonstudentrights.org



On Thu, Aug 29, 2019 at 10:53 AM McDonough, Ellen <emcdonough2@bostonpublicschools.org> wrote:
IGR is wondering if there was a specific event or incident that triggered this. Can you please let me know?

Thanks!
Ellen

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Ellen McDonough
Director of Intergovernmental Relations
Boston Public Schools
617-635-9305
emcdonough2@bostonpublicschools.org

From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Sent: Friday, August 30, 2019 8:25 AM EDT
To: Pelletreau, Kimberly
CC: David Murphy <dmurphy6@bostonpublicschools.org>; Consalvo, Robert; Monica Roberts <Monica Roberts <mroberts@bostonpublicschools.org>>; McDonough, Ellen; Abraham Osorio <Abraham Osorio <aosorio2@bostonpublicschools.org>>
Subject: Re: Facial Recognition - TIME SENSITIVE

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From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Sent: Friday, August 30, 2019 10:20 AM EDT
To: Murphy, David
CC: Monica Roberts <Monica.Roberts@bostonpublicschools.org>
Subject: Re: Facial Recognition - TIME SENSITIVE

Hi Dave

Yes, that is how they will sign on.

Thanks,

Maria Estrada
BSAC Student Engagement Manager
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On Fri, Aug 30, 2019 at 9:23 AM Murphy, David <dmurphy6@bostonpublicschools.org> wrote:

If I am missing something I apologize, but if the students have voted to support this petition, wouldn't we just communicate exactly that, that the Boston Student Advisory Council - a student governed organization - has voted in favor of this? This doesn't mean the Boston Public Schools or the City of Boston have taken a position one way or another, but aren't the students of this specific organization permitted to take their own position and let it be known? I took everyone else off in case I am missing something here, but if anyone pushes back on that notion, please let me know. Because I think common sense and the constitution permit them to do this.

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--

David Murphy
Chief of Staff
Boston Public Schools
2300 Washington Street
Roxbury, MA 02119

(p) 617-635-9325

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To: Pelletreau, Kimberly
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On Fri, Aug 30, 2019 at 10:12 AM Pelletreau, Kimberly <kpelletreau@bostonpublicschools.org> wrote:

Maria/Team:

I do not foresee BPS considering any such intrusive technology from the safety perspective. There are several other options to enhance a safe and welcoming environment for our schools that are focused on infrastructure, collaborations, and strong school communities focused on prevention/intervention. We have also recently updated our School Access policy and will continue to educate and support school communities on implementation of this critical aspect of safety in our schools. Kp

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Subject: re face surveillance in MA schools

I'm writing to see if BSAC/Youth on Board might be interested in joining an effort to push DESE to issue regulations prohibiting the use of face surveillance technology in MA schools.

Specifically, we are concerned that private companies may be taking advantage of legitimate fears about school safety by pushing untested, sometimes even racially biased facial surveillance technology on school districts in Massachusetts. Recently in New York, the Lockport school district spent nearly \$3 million on a face surveillance system—*without* public debate or legislative authorization. After public backlash, the NY state department of education stepped in and told the district it was not allowed to turn the system on.

That makes sense, because there are currently *no regulations* in place to protect students, teachers, or staff from this powerful technology, in either New York or Massachusetts.

We are eager to work with education experts and officials in Massachusetts to make sure something like the Lockport saga doesn't happen here.

Please let me know if you're interested in joining the effort.

Best,

Kade Crockford
Director, Technology for Liberty Program
American Civil Liberties Union of Massachusetts
211 Congress Street, Boston, MA 02110
617.482.3170 x346 | kcrockford@aclum.org
aclum.org | privacysos.org/blog

Best,

Maria Estrada
BSAC Student Engagement Manager
Office of Engagement | Boston Public Schools
2300 Washington Street, Boston MA 02119
617-635-9446

Pronouns: She/Her/Hers
mortiz@bostonpublicschools.org
w: bostonstudentrights.org



On Thu, Aug 29, 2019 at 11:21 AM Pelletreau, Kimberly <kpelletreau@bostonpublicschools.org> wrote:
I haven't heard anything about this. kp

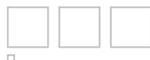
On Thu, Aug 29, 2019 at 9:27 AM Estrada, Maria <mestrada4@bostonpublicschools.org> wrote:
Good Morning Kim, Dave and Rob

BSAC has been asked to sign on to the attached letter to DESE asking for the ban of face surveillance in schools. I need to gather more information for BSAC members to make an informed decision. Is BPS aware of this? Are you aware if the Mayor may be taking a position on this issue?

The students will need to make a decision by tomorrow morning and I am gathering information to send out to them now.

Please advise.

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--

Kimberly Pelletreau
Executive Director of Safety Services
Boston Public Schools
2300 Washington Street, Boston MA 02119
kpelletreau@bostonpublicschools.org
mobile: 857-302-8941 |

From: Estrada, Maria <mestrada4@bostonpublicschools.org>

Sent: Thursday, August 29, 2019 11:25 AM EDT

To: McDonough, Ellen

Subject: Re: Facial Recognition - TIME SENSITIVE

Hi Ellen

I am unsure.

Maria Estrada

BSAC Student Engagement Manager

Office of Engagement | Boston Public Schools

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On Thu, Aug 29, 2019 at 10:53 AM McDonough, Ellen <emcdonough2@bostonpublicschools.org> wrote:

IGR is wondering if there was a specific event or incident that triggered this. Can you please let me know?

Thanks!

Ellen

On Thu, Aug 29, 2019 at 9:27 AM Estrada, Maria <mestrada4@bostonpublicschools.org> wrote:

Good Morning Kim, Dave and Rob

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--

Ellen McDonough

Director of Intergovernmental Relations

Boston Public Schools

617-635-9305

emcdonough2@bostonpublicschools.org

From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Sent: Friday, August 30, 2019 8:16 AM EDT
To: [REDACTED] >>
Subject: Re: Facial Recognition in Schools - RESPONSE NEEDED ASAP!

Thanks [REDACTED]

Maria Estrada
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On Thu, Aug 29, 2019 at 6:36 PM [REDACTED] > wrote:

I do think we should sign on. I'm not comfortable with the idea of that technology in schools.

Thanks,
[REDACTED]

On Aug 29, 2019, at 12:28 PM, Estrada, Maria <mestrada4@bostonpublicschools.org> wrote:

Can you read and respond?

Thx

Maria Estrada
BSAC Student Engagement Manager
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----- Forwarded message -----

From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Date: Thu, Aug 29, 2019 at 11:45 AM
Subject: Facial Recognition in Schools - RESPONSE NEEDED ASAP!

[REDACTED]

Hello Summer Team

I need your feedback ASAP on this issue. Read the attached letter and let me know by replying back to me directly if you think BSAC should sign on. At the moment, BPS and the Mayor's office were not aware of this issue.

Please do not circulate.

Thanks so much,

Maria Estrada
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□

<Letter DESE EF 8-23.docx>

From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Sent: Thursday, August 29, 2019 1:29 PM EDT
To: [REDACTED]
Subject: Re: Facial Recognition in Schools - RESPONSE NEEDED ASAP!

Yes very scary. Thanks, [REDACTED]

Maria Estrada
BSAC Student Engagement Manager
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On Thu, Aug 29, 2019 at 1:10 PM [REDACTED] > wrote:

Hi Maria,

I think BSAC should sign on this petition. This is actually scary!

On Thu, Aug 29, 2019 at 11:46 AM Estrada, Maria <mestrada4@bostonpublicschools.org> wrote:

Hello Summer Team

I need your feedback ASAP on this issue. Read the attached letter and let me know by replying back to me directly if you think BSAC should sign on. At the moment, BPS and the Mayor's office were not aware of this issue.

Please do not circulate.

Thanks so much,

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From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Sent: Thursday, August 29, 2019 3:45 PM EDT
To: [REDACTED]
Subject: Re: Facial Recognition in Schools - RESPONSE NEEDED ASAP!

thanks [REDACTED]

Maria Estrada
BSAC Student Engagement Manager
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On Thu, Aug 29, 2019 at 3:05 PM [REDACTED] wrote:

Hi Maria,
It looks like something BSAC should be involved in!

[REDACTED]

On Thu, Aug 29, 2019 at 11:46 AM Estrada, Maria <mestrada4@bostonpublicschools.org> wrote:

Hello Summer Team

I need your feedback ASAP on this issue. Read the attached letter and let me know by replying back to me directly if you think BSAC should sign on. At the moment, BPS and the Mayor's office were not aware of this issue.

Please do not circulate.

Thanks so much,

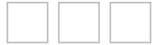
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From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Sent: Thursday, August 29, 2019 12:09 PM EDT
To: [REDACTED] >>
Subject: Re: Facial Recognition in Schools - RESPONSE NEEDED ASAP!

Thanks [REDACTED]

Maria Estrada
BSAC Student Engagement Manager
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On Thu, Aug 29, 2019 at 11:59 AM [REDACTED] > wrote:

I would have to agree with the statement that facial rec should not be used within schools. It may be something BSAC could sign on to.

On Thu, Aug 29, 2019 at 11:46 AM Estrada, Maria <mestrada4@bostonpublicschools.org> wrote:

Hello Summer Team

I need your feedback ASAP on this issue. Read the attached letter and let me know by replying back to me directly if you think BSAC should sign on. At the moment, BPS and the Mayor's office were not aware of this issue.

Please do not circulate.

Thanks so much,

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From: Estrada, Maria <mestrada4@bostonpublicschools.org>
Sent: Thursday, August 29, 2019 2:27 PM EDT
To: [REDACTED]
Subject: Re: Facial Recognition in Schools - RESPONSE NEEDED ASAP!

Thanks [REDACTED]. I appreciate your questions and feedback.

Maria Estrada
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On Thu, Aug 29, 2019 at 2:15 PM [REDACTED] > wrote:

Hey Maria,

From reading that it definitely makes sense to sign on to it. It just looks like another way for schools to increase racism. I was wondering if there were any positives to installing these, that don't involve penalizing students, but could actually be helpful. It really just seems like just another way for private companies to take money out of the public. So I'm a yes to signing on.

[REDACTED]

On Thu, Aug 29, 2019 at 11:46 AM Estrada, Maria <mestrada4@bostonpublicschools.org> wrote:

Hello Summer Team

I need your feedback ASAP on this issue. Read the attached letter and let me know by replying back to me directly if you think BSAC should sign on. At the moment, BPS and the Mayor's office were not aware of this issue.

Please do not circulate.

Thanks so much,

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From: Sacramona, Nicholas <nsacramona@bostonpublicschools.org>

Sent: Wednesday, April 04, 2018 7:59 AM EDT

To: Richard Deraney <Richard Deraney <rderaney@bostonpublicschools.org>>; Kimberly Pelletreau <Kimberly Pelletreau <kpelletreau@bostonpublicschools.org>>

Subject: Fwd: SAM description

Here is some info I learned about a facial recognition system that works with the door intercom systems.

Just an FYI

----- Forwarded message -----

From: **Arturo Falck** <afalck@mnemo.ai>

Date: Tue, Mar 27, 2018 at 12:19 PM

Subject: SAM description

To: nsacramona@bostonpublicschools.org

Dear Nick,

Thank you so much for taking my phone call and for your insights.

Here is a little information about our system to help you with your conversations with your safety director.

As I mentioned, I would be very happy to come to your office to show you a demo of our system.

thank you,

Arturo Falck

President, [Mnemo.ai](http://www.mnemo.ai)

646.228.6341 | [LinkedIn](#)

PS: Here is some information about SAM:

Summary:

SAM (simple artificial memory) is an intercom system that uses facial recognition to **improve the way that elementary schools manage visitors** while maintaining a **friendly environment**.

Website:

<http://www.mnemo.ai>

Video:

<https://youtu.be/l6Rg-B-skM>

Here is how SAM works in more detail:

There is a growing trend to ask visitors for IDs and to scan them through systems that screen them.

We developed a solution that is **more secure, friendlier** and **less intrusive**.

We simply replace the door bell and buzzer with a more intelligent one.

Our technology works in two ways:

1. We can train the system to recognize **legitimate visitors**
 1. faculty
 2. staff
 3. parents
 4. guardians
 5. vendors

2. And we can train the system to recognize **suspicious individuals**
 1. local/regional arrests (rap sheet)
 2. known sex offenders
 3. state/national most wanted
 4. known terrorists
 5. people that the school wants to keep away
 - restraining orders,
 - **non-custody parents**
 - banned by school

When a visitor rings the door bell, we display the footage from the door camera alongside the relevant information about who the visitor is **and enable one of two buttons**:

- a green “Open” button
- a red “Wait” button (so the principal or a security officer can meet the visitor outside)

SAM remembers every visitor and every visit.

--

Nicholas Sacramona
Senior Supervisor Electrical/Security
Boston Public Schools
c 617-799-1616
p 617-635-8300 x 41344
f 617-635-7855

From: Sacramona, Nicholas <nsacramona@bostonpublicschools.org>

Sent: Thursday, March 22, 2018 2:19 PM EDT

To: jonathanbcohen@rcn.com <jonathanbcohen@rcn.com>

Subject: Re: camera equipment for Bais Yaakov school

yes

On Thu, Mar 22, 2018 at 1:55 PM, <jonathanbcohen@rcn.com> wrote:

Even if you already have access installed in all of your buildings, given that you oversee security in the Boston Public school system, Arturo would like to show you his new software based screening technology and how it works so you will at the very least know about it.

Can I tell him that he can call you?

Jonathan

From: "Nicholas Sacramona" <nsacramona@bostonpublicschools.org>

To: "Jonathan Cohen" <jbcbruins@juno.com>

Sent: Thursday, March 22, 2018 12:32:41 PM

Subject: Re: camera equipment for Bais Yaakov school

I appreciate you thinking of me but we currently have access already installed in all of our buildings.

On Thu, Mar 22, 2018, 12:13 PM Jonathan Cohen <jbcbruins@juno.com> wrote:

Hi Nick,

I hope you are doing well! I had the pleasure of working with you at the Bais Yaakov school (Hamilton) in Brighton a few years ago. I am still writing these Homeland Security grants.

I have someone I would like to refer to you to meet sometime. If it is OK with you, I will ask him to call you to set up a time to meet. He has a start up security technology that is currently in two Boston private schools as a pilot project.

You were kind to show me around Brighton HS and explain the security there. His product is interesting and software based using facial recognition to control access.

His name is Arturo Falck and he is President of Mnemo.ai

His phone number is [646.228.6341](tel:646.228.6341)

Thank you Nick.

Best wishes,

Jonathan

----- Original Message -----

From: "Sacramona, Nicholas G" <nsacramona@boston.k12.ma.us>

To: <jbcbruins@juno.com>

Subject: RE: camera equipment for Bais Yaakov school

Date: Thu, 20 Sep 2012 19:08:15 -0400

I am about to leave the office now. You can call me I have about a 1/2 hour ride home. If not call me tomorrow.

Nicholas Sacramona
Senior Supervisor Security
Boston Public Schools
[1216 Dorchester Ave](http://1216DorchesterAve.com)
[Dorchester, Ma. 02125](http://Dorchester.Ma.02125.com)
p.[617-635-8300](tel:617-635-8300)
f.[617-635-7855](tel:617-635-7855)
c.[617-799-1616](tel:617-799-1616)

From: jbcbruins@juno.com [mailto:jbcbruins@juno.com]

Sent: Thu 9/20/2012 7:03 PM

To: Sacramona, Nicholas G

Subject: camera equipment for Bais Yaakov school

Hi Nick,

How you are doing well. You may have heard that we were successful at the hearing last week. Ms. Brown was very supportive and came to it. We are very pleased!

I was wondering about your choice of proprietary camera equipment for the security measures. We were told that we

will be limited to that type of equipment if we go with it.

We can talk on the phone tomorrow if you prefer.

Best wishes

Jon

53 Year Old Mom Looks 33

The Stunning Results of Her Wrinkle Trick Has Botox Doctors Worried
consumerproducts.com

--

Nicholas Sacramona
Senior Supervisor Electrical/Security
Boston Public Schools
c 617-799-1616
p 617-635-8300 x 41344
f 617-635-7855

From: Nicholas Sacramona <nsacramona@bostonpublicschools.org>

Sent: Thursday, March 22, 2018 12:32 PM EDT

To: Jonathan Cohen <Jonathan Cohen <jbcbruins@juno.com>>

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From: "Sacramona, Nicholas G" <nsacramona@boston.k12.ma.us>

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We can talk on the phone tomorrow if you prefer.

Best wishes
Jon

53 Year Old Mom Looks 33

The Stunning Results of Her Wrinkle Trick Has Botox Doctors Worried
consumerproducts.com

From: Brown, Melissa <mbrown3@bostonpublicschools.org>

Sent: Tuesday, July 09, 2019 2:44 PM EDT

To: Blood, Misha

CC: Elsa Herrera <eherrera@bostonpublicschools.org>; Josephine Yu <Josephine Yu <jyu@bostonpublicschools.org>>; Takiyah Harris <tharris@bostonpublicschools.org>>

Subject: Re: Sign in Mildred

I have the hard copy of the sign in sheet in my office, we are waiting for the program to be up and running.
Melissa

On Mon, Jul 8, 2019 at 6:54 AM Blood, Misha <mblood@bostonpublicschools.org> wrote:

Main office said it doesn't work just look for paper with HMS on it and sign it

Misha

On Mon, Jul 8, 2019, 6:49 AM Brown, Melissa <mbrown3@bostonpublicschools.org> wrote:

There is a new sign in system for summer school that is using I pad for facial recognition you need to go to main office.
You put in BPS ID and that will sign you in