



Public Safety Finance and Policy Committee
Minnesota House of Representatives
75 Rev. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

April 07 2026

**RE: HF3753/SF3901 Funds AI Surveillance Technologies in Minnesota Schools
that Violate the Rights of Vulnerable Youth and Young Adults**

Dear Lawmakers,

The Twin Cities Innovation Alliance and the No Tech Criminalization in Education Coalition (NOTICE)¹ writes to express urgent concerns regarding HF3753/SF3901.

Our organizations offer deep expertise on the civil rights consequences of emerging technologies for vulnerable youth and their families. Through public education, AI audits, policy advocacy, and legal strategies, we challenge the role of artificial intelligence and big data technologies in reproducing racial and social inequality in society. In particular, our work examines the impact of police surveillance technologies in schools, especially for Black, Brown and Indigenous youth.

From our vantage point, school threat-detection technology, integrated with AI predictive analytics, represents a dangerous new chapter in the school-to-prison pipeline. This bill is not limited to threat assessment technologies, it creates a legislative pathway to fund predictive policing in schools that will expose children of color, children with disabilities and children from low-income families to machine-driven profiling that systematically violates fundamental rights to **privacy, due process, and equal protection under the law.**² If enacted, this bill would bear the ignominious distinction of being one of the largest state-level investments in predictive policing in US history.

¹ The NOTICE Coalition is a national network of advocates, researchers and community leaders fighting to end youth surveillance and algorithmic injustice that impacts marginalized youth and young adults.

² Clarence Okoh, *Dangerous Data: What Communities Should Know About Artificial Intelligence, the School-to-Prison Pipeline and School Surveillance*, Center for Law and Social Policy (May 2024), https://static1.squarespace.com/static/5b9081c58ab7224793278e1d/t/6754a9884e8030393e0b574e/1733601675029/dangerous_data_brochure_v6.pdf; *Digital Dystopia: The Danger in Buying What EdTech Surveillance is Selling*, ACLU (October 2023), <https://www.aclu.org/publications/digital-dystopia-the-danger-in-buying-what-the-edtech-surveillance-industry-is-selling>.

There is no ethical or legal pathway to improve this measure. AI surveillance has no place in public education. Decisions related to school safety and student discipline should never be left to machines. For the reasons described below, we urge the committee to reject this measure.

Legal and Ethical Challenges in HF3753/SF3901

1) Scientific Validation & Consumer Protection:

AI surveillance is not an evidence-based approach to school safety. In fact, in 2024, the Federal Trade Commission (FTC) [found](#) that a prominent AI threat-detection company misled school districts about the technology's actual capabilities.³ The FTC found that the technology could have error rates up to 50 percent. Several school districts across the United States have [abandoned](#) similar systems due to persistent misidentification and performance-based issues (weapons detectors have recently mistaken [clarinets](#), [lunchboxes](#), and bags of [chips](#) for weapons).⁴ The consequences of machine errors are severe. Black students have been falsely arrested. Schools have been placed on unnecessary lockdowns. Law enforcement has pulled their weapons against students who were expected to have one. **And tragically, in Nashville, a weapons detection system failed to identify a gunman during an active school shooting, resulting in the loss of student lives.** Academic researchers call into question the efficacy of these systems as an evidence-based intervention to reduce school violence. Alternative [approaches](#) that focus on bolstering student trust and wellness and on training students on when and how to report threats have proven to be far more effective interventions.⁵

Key questions include:

- *Has this product been evaluated by independent, third parties under real-world circumstances to determine scientific validity?*
- *What is this system's error rate under real-world circumstances, including false positives and negatives?*
- *Is there any independent, scientific evidence indicating that this AI product can consistently and accurately identify weapons in ways that lead to an observable, quantifiable reduction in school violence?*

2) Algorithmic Discrimination:

Our second concern is that this bill will lead to algorithmic discrimination in schools. The National Academies of Sciences, Engineering, and Mathematics has [found](#) that "students receiving special education and Black students are disproportionately represented in threat

³ *FTC Takes Action Against Evolv Technologies for Deceiving Users About its AI-Powered Security Screening Systems*, Federal Trade Commission (2024), <https://www.ftc.gov/news-events/news/press-releases/2024/11/ftc-takes-action-against-evolv-technologies-deceiving-users-about-its-ai-powered-security-screening>.

⁴ See generally, Rod McCollum, *As More Schools Turn to AI Weapons Detection, Questions Persist*, Undark Magazine (2026), <https://undark.org/2026/02/13/as-more-schools-turn-to-ai-weapons-detection-questions-persist/>.

⁵ See e.g., Melissa Kay Diliberti, Pauline Moore & Brian A. Jackson, *Building More Trust in School Threat Reporting*, Rand (2025), https://www.rand.org/pubs/research_reports/RRA3930-4.html.

assessments. [And] most threats are classified as nonserious."⁶ Integrating AI into disciplinary techniques with known biases creates a pathway for *algorithmic discrimination* in public education." Algorithmic discrimination refers to the use of automated systems to violate existing federal, state, or local antidiscrimination laws. Algorithmic discrimination does not require invidious intent on the part of technologists or designers. Algorithmic discrimination can occur at any point across the lifecycle of an AI system, from pre-design to deployment. **Algorithmic discrimination is a rapidly growing issue in public education.** For example, AI systems have profiled students based on race and other protected characteristics, recommended [harsher disciplinary interventions](#) due to a student's race, recommended [less rigorous coursework](#) due to a student's race, displayed [racial bias in grading](#) student work, identified Black and low-income children as [future criminals](#), denied [student accommodations](#) due to their disability status, and exposed students to harmful [stereotypes](#) and hateful content. In recent years, federal policymakers have outlined several strategies and best practices to remediate algorithmic bias/discrimination in the public sector. The National Institute of Standards and Technology (NIST) developed a framework ([Special Publication 1270](#)) that outlines best practices for mitigating bias in AI and algorithmic systems. This framework calls for multistakeholder sociotechnical evaluations of AI models across the AI lifecycle from the pre-design phase to deployment. NIST also developed an [AI Risk Management Framework](#) that outlines good governance practices for trustworthy AI use in the public and private sectors, including recommendations for *ex ante* evaluations of legal and regulatory compliance, processes for decommissioning AI systems, and the creation of systems of accountability. Weapons detection technology relies on computer vision and machine learning algorithms to identify weapons or aberrant behaviors. Unfortunately, almost no research assesses whether weapon/threat detection algorithms are more likely to identify a weapon or threat based on an individual's protected characteristic, such as race or disability status. In other contexts, we have consistently seen how seemingly "objective" AI and algorithmic systems have led to systemic discrimination against students of color and students with disabilities.

Key questions include:

- *What stakeholder groups were consulted in the development of this commercial AI product?*
- *What sociotechnical evaluations were conducted on this AI system to determine whether it is fit for purpose in a high-risk context such as public schools? Who conducted the evaluation(s)? What were the results? Are these findings publicly available?*
- *What steps were taken to determine if this AI system complies with applicable civil rights and children's rights legal standards?*
- *Has this technology been independently evaluated for compliance with Title VI of the Civil Rights Act? The Americans with Disabilities Act (ADA)? Section 504 of*

⁶ K-12 Behavioral Threat Assessment Efficacy and Implementation Evaluation Research Proceedings of a Workshop—in Brief, National Academies of Sciences, Engineering, and Medicine. (2024), <https://doi.org/10.17226/804>.

the 1973 Rehabilitation Act? The Individuals with Disabilities Education Act (IDEA)?

- *What computer vision algorithm does the vendor use?*
- *What training data was used to develop this AI system? Was any data involving children used to train this AI system? (How) Did the vendor obtain individual consent to train and develop its model?*

3) Student Data Privacy:

Our third concern relates to student data privacy. Student privacy [guidance](#) from the US Department of Education indicates that data from school cameras “directly relating” to individual students constitutes legally protected “educational records” under the Family Educational Rights and Privacy Act (FERPA).⁷ Such records cannot be redisclosed to third parties without prior parental consent. AI weapons detection technology routinely accesses school camera feeds and rediscloses video data containing FERPA-protected student data to commercial third parties for a variety of purposes without prior parental consent. Further, a prospective vendor reported that its AI threat detection system tracks certain individual students indefinitely based on the alleged identification of a threat. It is not clear how these practices comport with either FERPA or the Fourth Amendment (prohibiting searches and seizures without a judicial warrant), especially when system errors or misidentification occur.

Key questions include:

- *Has this technology been independently evaluated for compliance with FERPA and state student privacy laws?*
- *After an alert occurs, what data is collected about a student? Who has access to that data? How long is that data retained?*
- *Do parents have a right to access, inspect, or challenge the use of this data as guaranteed under FERPA?*

What is AI Surveillance & Digital Pushout in Schools?

The school surveillance technology industry is valued at over \$4 billion. Private companies sell controversial technologies to school districts, including facial recognition, student device monitoring, license plate readers, aerial drones, and predictive policing systems. There is virtually no independent, peer-reviewed evidence that police surveillance technologies improve safety outcomes in schools. On the contrary, there is extensive evidence that these systems dramatically expand demographically disparate outcomes in exclusionary discipline for students of color and students with disabilities, among other marginalized groups.⁸ Researchers and advocates refer to these practices as the **digital pushout crisis**. Law enforcement agencies and school officials often deploy controversial AI surveillance technologies without public input,

⁷ FAQs on Photos and Videos under FERPA, US Dept. of Education (last accessed April 2026), <https://studentprivacy.ed.gov/faq/faqs-photos-and-videos-under-ferpa>.

⁸ Ananya Karthik & David Moss, *Digitizing the School-To-Prison Pipeline: Pasco County's At-Risk Youth Program*, NAACP Legal Defense Fund (2024), <https://www.naacpldf.org/wp-content/uploads/2024-11-26-LDF-Pasco-Report27.pdf>.

parental notification, or democratic oversight.⁹ AI surveillance practices in schools increase student contact with law enforcement (including immigration authorities¹⁰), enable censorship and suppression of free speech, undermine student academic success, and exacerbate demographic disparities in student discipline.¹¹

How Does HF3753/SF3901 Expand AI Surveillance in Schools?

The bill text permits schools selected for this pilot program to “use predictive analytics and artificial intelligence-driven software to accomplish these requirements.” Artificial intelligence refers to a range of algorithmic technologies that combine large amounts of data with advanced computational and statistical models to imitate and/or automate human capabilities such as object recognition, language processing, and decision-making. A particularly concerning use of AI is its use in predictive analytics for law enforcement. Commonly referred to as predictive policing, predictive analytics uses computer algorithms to proactively identify “threatening” individuals or behaviors on profiles in historical data. Legal scholars have identified predictive policing as a form of “dirty data policing” because the historical data is often based on racially disparate patterns of policing that are then amplified by algorithms.¹² Put another way, predictive policing algorithms are “trained” on historically biased data that perpetuates biased outcomes in the future. This presents two key issues related to school safety. First, predictive policing discriminates against students from communities historically subject to overpolicing. Second, predictive policing fails to identify individuals from communities from privileged backgrounds.

Alternative Legislative Priorities on AI in Schools

Instead of investing in harmful AI surveillance technologies, Minnesota lawmakers can set a new national standard for safeguarding children’s rights against AI and automation in schools. We encourage lawmakers to consider alternative approaches, including:

- Legislation prohibiting school districts and law enforcement agencies from using state funds to procure surveillance technologies that present a “high risk” of violating the rights

⁹ See e.g., The Cradle to Prison Algorithm, Twin Cities Innovation Alliance (last accessed February 2025), <https://www.tciamn.org/cpa-journey>; Kathleen McGrory & Neil Bedi, Targeted, Tampa Bay Times (September. 03, 2020),

<https://projects.tampabay.com/projects/2020/investigations/police-pasco-sheriff-targeted/intelligence-led-policing/>

¹⁰ Shannon Dooling, Citing New Documents, Advocates Call On Boston Public Schools To Stop Sharing Info With ICE, WBUR (January 2020), <https://www.wbur.org/news/2020/01/06/bps-ice-information-sharing-new-documents>.

¹¹ Clarence Okoh, Dangerous Data: What Communities Should Know About Artificial Intelligence, the School-to-Prison Pipeline and School Surveillance, Center for Law and Social Policy (May 2024), https://static1.squarespace.com/static/5b9081c58ab7224793278e1d/t/6754a9884e8030393e0b574e/1733601675029/dangerous_data_brochure_v6.pdf; Digital Dystopia: The Danger in Buying What EdTech Surveillance is Selling, ACLU (October 2023), <https://www.aclu.org/publications/digital-dystopia-the-danger-in-buying-what-the-edtech-surveillance-industry-is-selling>.

¹² Rashida Richardson, Jason Schultz & Kate Crawford, “Dirty Data, Bad Predictions: How Civil Rights Violations Impact Police Data, Predictive Policing Systems, and Justice,” New York University Law Review (2019), <https://nyulawreview.org/online-features/dirty-data-bad-predictions-how-civil-rights-violations-impact-police-data-predictive-policing-systems-and-justice/>.

and freedoms of youth and young adults. Lawmakers can build on models such as New York State's ban on student biometric surveillance technologies.

- Legislation directing relevant state agencies and local school districts to adopt enforceable civil and human rights standards related to the use of artificial intelligence in schools and other youth-serving systems. Lawmakers can build on models such as the 2024 guidance from the US Department of Education, "Avoiding the Discriminatory Use of Artificial Intelligence."¹³ Lawmakers can also look to New York City's recent guidance on AI in schools, which calls for a spotlight framework to curb harmful and unlawful uses of AI in schools.¹⁴
- Legislation that funds the state's Office of Human Rights, Education Department, and Department of Public Health to conduct a study in consultation with civil society organizations that examines the impact of existing school surveillance technologies on student outcomes such as discipline, law enforcement contact, school climate, and student wellness.

Conclusion

We extend our gratitude for the opportunity to submit testimony before the committee. For any questions related to the contents of this letter, please contact Clarence Okoh¹⁵ (cokoh@techtonicjustice.org) and Marika Pfefferkorn¹⁶ (marika@tciamn.org)

Sincerely,
The NOTICE Coalition

¹³ *Avoiding the Discriminatory Use of Artificial Intelligence*, US Dept. of Education (2024), <https://eric.ed.gov/?id=ED661946>.

¹⁴ Guidance on Artificial Intelligence (AI), New York City Public Schools (March 2026), <https://www.schools.nyc.gov/about-us/vision-and-mission/guidance-on-artificial-intelligence>.

¹⁵ Clarence Okoh, Esq. is Senior Attorney for Civil Rights and Technology at TechTonic Justice. He is a co-founder of the NOTICE Coalition.

¹⁶ Marika Pfefferkorn is co-Executive Director of the Twin Cities Innovation Alliance (TCIA). She is a co-founder of the NOTICE Coalition.