

Introduction

My experience with school-imposed technology has revealed how easily surveillance practices intended for safety can overstep and infringe on students' First Amendment rights. In the United States today, a variety of tools like Gaggle and GoGuardian allow school administrators to monitor student online activities under the pretense of protecting them from bullying or self-harm. However, these tools often go beyond safety, flagging a subjective range of student activities and opinions as “disruptive.” A clear point is brought up by this blatant overreach: How far can schools restrict student discourse, particularly online, before unwittingly violating the constitutional protections intended to safeguard free speech? While ensuring student safety is crucial, it should not have to come at the cost of our intellectual freedom and genuine discourse, which lie at the heart of a democratic society.

Personal Experience with Censorship

In eighth grade, during the height of the COVID-19 pandemic, I was balancing so-called “safety policies” and my right to express an unpopular perspective. Our school’s mask mandate was strict; even my friend with developmental communication challenges was required to wear one. We wore masks daily, and our breaths and thoughts were held captive behind a tiny piece of cloth. At the time, I told myself it was for the greater good, even encouraging masking on social media—something the school readily supported.

But then I began to question. I researched which masks were genuinely effective and found that, in classrooms, they provided little more than a dreary burden. I posted what I had learned, findings sheerly supported by science, only to discover that science is only accepted when a mob deems it so. I was called into the office, where I learned my online activity had been quietly monitored and judged. My post was labeled “dangerous” and “offensive.” I was instructed—passive-aggressively—to take it down or face consequences that could affect my place at school. *Stay silent, or be silenced.*

That moment opened my eyes: in the name of “safety,” schools can restrict student speech simply because it challenges prevailing opinions. I realized that the most dangerous censorship is not loud, aggressive silencing—it is the quiet, coercive suppression of ideas under the guise of maintaining peace and order.

Broader Impact of Surveillance on Students

My experience is not unique. Across the United States, schools are increasingly implementing programs like Gaggle and GoGuardian to monitor student activity, all of which are marketed toward stopping bullying, self-harm, or broader threats of violence.

GoGuardian oversees around 27 million students [1], while Gaggle is used in 1,500 school districts [2]. Evidence shows these flag benign content on sensitive topics like politics, LGBTQ+ issues, and even college applications, labeling them as “bullying” or “discriminatory” [1]. This prompts reprimands for unassuming students, not based on safety threats, but on subjective administrative views of what is ideologically harmful or uncomfortable [3].

This poses two direct abridgments to what the First Amendment stands for. First is the principle that the amendment exists in part because no one earthly entity can decide wrong and right, good and evil. Thus, we have free expression. Second is that this right must and will hurt the hearts of some in the noble endeavor for truth. The measure of a free society lies in its ability to allow discomfort in pursuit of truth.

The Nature of Free Speech

I have learned that free speech, by its nature, challenges comfort. If we allow schools to suppress free expression in the name of safety, we teach students that the world should conform to their comfort rather than encouraging them to confront it as it is. When we suggest that certain opinions are too dangerous to express, we do not protect students; we rob them of the ability to engage with the world courageously. The constant monitoring spreading across schools today conditions students to avoid disagreement, especially in communities where they may be a minority in thought. When surveillance becomes the norm, silence becomes the preferred language. Students begin to self-censor unconsciously, avoiding challenging ideas rather than risk scrutiny. *We will have raised a generation into intellectual conformity.*

Legal Boundaries

The Supreme Court consistently confirms the principle that students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate” (*Tinker v.*

Des Moines, 1969). However, modern digital surveillance extends school authority into students' private lives under the pretext of safety. *Mahanoy Area School District v. B.L.* (2021) reinforced the idea that online off-campus speech retains its First Amendment rights. Despite this precedent, they do not protect students from subjectively being "disruptive" or "offensive," allowing schools to exploit this legal gray area whenever they deem fit. This practice is already common in states like California and Colorado, where I experienced it, and will surely spread as the technology is adopted.

The Balance of Rights and Responsibilities

We can attain a compromising balance by addressing a fundamental ideology in our government, that being its very purpose. The government stands to prohibit the expression of one free man from infringing upon the rights of another. That said, schools should only have the right to intervene if direct threats to persons are made or when overtly illegal activity is posted online.

It is imperative that we teach students mental fortitude and true resilience. Instead of teaching that topics that could be found controversial and offensive are off-limits, we need to drive our resources to learn how these conversations can be had respectfully and teach students how not to be offended by words and diversity of thought. It is imperative to the success of America and, in turn, humanity that every man be open to being challenged, know why they believe what they do, and know why others do not. We cannot start building for the next frontier if we cannot tolerate this simple truth. If we do this, we inoculate society from much of the plague we face in modern-day American thinking. When we shine a light on every thought, only the dark ones will die.

Bibliography

- [1] Electronic Frontier Foundation, "How GoGuardian Invades Student Privacy," October 2023. [Online]. Available: <https://www.eff.org/press/releases/eff-unveils-red-flag-machine-exposing-deep-flaws-student-surveillance-software>.
- [2] Gaggle, "Gaggle," n.d.. [Online]. Available: <https://www.gaggle.net/>.
- [3] Electronic Frontier Foundation, "School Monitoring Software Sacrifices Student Privacy for Unproven Promises of Safety," September 2024. [Online]. Available: <https://www.eff.org/deeplinks/2024/09/school-monitoring-software-sacrifices-student-privacy-unproven-promises-safety>.

Certification

I, Aedan Wilson, certify that this essay submission is my original work and represents my own thoughts and writing.