

# Children's data protection in an education setting

Data Protection Views from Strasbourg  
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# Draft guidelines



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CONSULTATIVE COMMITTEE OF THE CONVENTION FOR THE PROTECTION  
OF INDIVIDUALS WITH REGARD TO AUTOMATIC PROCESSING  
OF PERSONAL DATA

CONVENTION 108

Children's Data Protection in an Education setting

Draft Guidelines

Directorate General of Human Rights and Rule of Law

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# Draft guidelines and topics for further work

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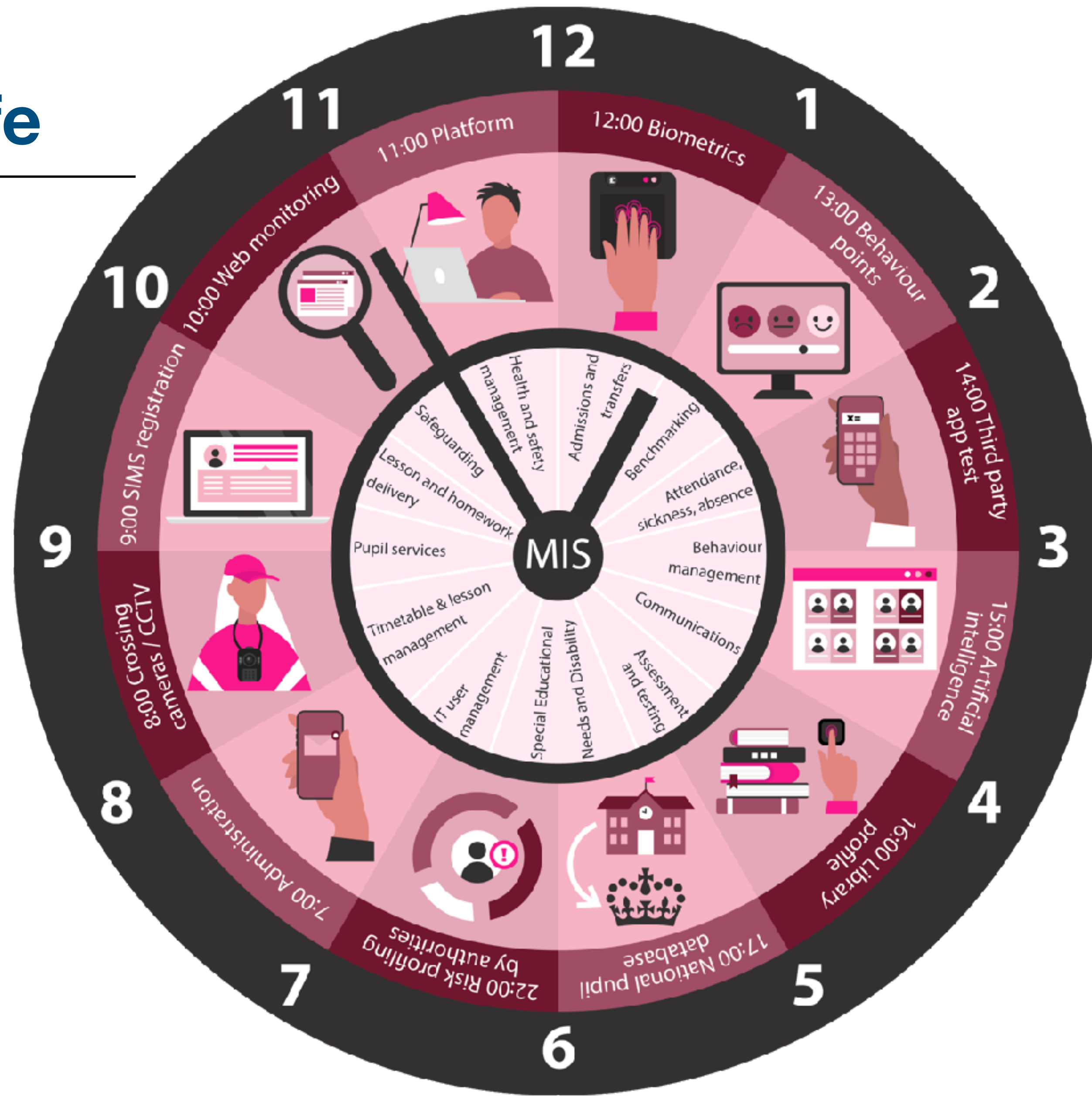
- Fundamental principles of data processing and child rights
- Recommendations for legislators and policy makers
- Recommendations for data controllers
- Recommendations on processing in practice for educational settings
- Recommendations for industry
- Recommendations on processing in emerging technologies
- What difference does distance learning make?
- What more may be needed

“The sensitivity of digitized pupil and student data should not be underestimated”

International Working Group on Data Protection in Telecommunications Working Paper on e-Learning Platforms  
(April 2017)



# A day-in-the-life



‘technology procurement is thus one of the largest democratic vulnerabilities that exists today.’

Bianca Wylie, on Toronto’s ‘SideWalk Labs’  
in the Boston Review (May 2020)

# State obligations regarding the impact of the business sector

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UN General Comment No.16 (2013) sets out state obligations on the impact on the business sector on child rights.

Public procurement contracts should be awarded only to companies that respect child rights.

States should not invest public finances and other resources in business activities that violate children's rights.

# The greatest challenges which must be solved

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The rights of the child and role of the legal guardian.

Consent in a compulsory setting with imbalance of power.

Emerging technologies and questions that go beyond data protection.



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