

Ethical Governance of Educational Data in India: Teacher Empowerment and Privacy Protection under NEP 2020

***Lokanath Patra**

Abstract

A large-scale collection, storage, and processing of students' and teachers' personal data has occurred as a result of the rapid digitalization of education in India. This has occurred through the use of online learning platforms, digital evaluation systems, and educational technology. The use of such digital innovations raises substantial privacy, ethical governance, and accountability issues, despite their improving accessibility, flexibility, and the effectiveness of educational practices. According to the National Education Policy (NEP) 2020, educators are envisioned as empowered, ethical leaders and facilitators of holistic education. Nevertheless, the policy provides only limited operational guidance on ethical data governance and educators' responsibilities in increasingly data-driven educational environments. The purpose of this article is to investigate the ethical regulation of educational data in India, with a specific emphasis on empowering teachers and protecting their privacy in accordance with the NEP 2020. Using an approach that is both doctrinal and analytical, the study draws upon constitutional concepts, the National Education Policy 2020, the Digital Personal Data Protection Act of 2023, and ethical insights from Indian Knowledge Systems. According to this argument, teachers are increasingly acting as intermediates and ethical data stewards in digital classrooms. As a result, there is a need for increased legal understanding, ethical competence, and institutional assistance. Informed consent, surveillance-oriented education, algorithmic evaluation, and the digital divide are among the significant challenges identified in this research. The study concludes that, to achieve effective teacher empowerment in the digital age, it is necessary to combine information governance with ethical digital literacy. The purpose of this study is to propose policy-oriented and institutional reforms to incorporate ethical data governance into teacher education and professional development. This will align technology innovation with constitutional values, privacy rights, and the holistic educational vision of NEP 2020.

Keywords: *Educational Data Governance; Teacher Empowerment; Privacy Protection; NEP 2020; Digital Personal Data Protection Act, 2023; Ethics in Education*

The introduction of digital technologies into the educational system has profoundly transformed how teaching, learning, and educational administration are carried out in India. Virtual classrooms, Learning Management Systems (LMS), online examinations, biometric attendance systems, and learning analytics powered by artificial intelligence are currently being widely used across a variety of educational institutions, including schools and higher education institutions. A significant

number of these technologies depend on ongoing data collection and processing. This data may include academic records, behavioral data, biometric identifiers, and communication information.

Despite digitalization making educational access and innovation more accessible, it has also increased concerns about privacy, surveillance, and ethical accountability (Kitchin, 2014). Educational spaces, which have traditionally been regarded as places of

**Assistant Professor of Law, Ganjam Law College, Berhampur, Research Scholar (Law), Berhampur University, Email id: lokanath_aisect@rediffmail.com*

trust, mentorship, and intellectual freedom, are quickly becoming environments that are heavily dependent on data accumulation. When viewed in this light, the ethical control of educational data emerges as a significant issue for both policy and teacher education.

The National Education Policy (NEP) 2020 represents a paradigm shift, placing educators in the roles of facilitators of learning, ethical role models, and agents of social reform (Ministry of Education, 2020). The adoption of digital tools by educators, on the other hand, often requires them to maintain student data without proper training or institutional safeguards. This study argues that the implementation framework for NEP 2020 should incorporate ethical governance of educational data to ensure genuine teacher empowerment.

Conceptual Understanding of the Ethical Governance of Personal Educational Information

The term "ethical governance of data" refers to the normative frameworks, institutional practices, and accountability systems that ensure data is collected, processed, stored, and used in a lawful, fair, transparent, and respectful manner that respects human dignity (Floridi, Cowls and Beltrametti, 2018). Other terms in this category include "data governance." In the field of education, ethical data governance takes on greater significance given the fragility of students, particularly children, and the inherent power imbalance between institutions and the individuals whose data is collected.

Informed consent, purpose limitation, data minimization, transparency in decision-making, and protection against misuse or commercial exploitation of data are among the concerns within the realm of educational data governance. Education is distinct from other industries in that it requires the retention and profiling of data over extended periods, which

can have a substantial impact on students' academic trajectories and life chances.

One of the most important roles in this governance environment is played by educators. These individuals choose digital tools, collect student data, and interpret outcomes driven by data. Because of this, ethical governance cannot be limited to institutional compliance or technical safeguards; rather, it must be ingrained in teachers' day-to-day educational practices and decision-making processes.

Empowerment of Teachers in accordance with NEP 2020

National Education Policy 2020 sees the empowerment of teachers as a fundamental component of educational reform. According to the Ministry of Education's 2020 report, the policy emphasizes autonomy, continual professional development, and ethical responsibility, acknowledging teachers as nation-builders and lifelong learners. Included in the NEP 2020's teacher empowerment program is:

1. More adaptability in the development of curricula and instructional methods,
2. Encouragement of creative thinking and learning via experience,
3. A focus on moral principles and the obligation to be socially responsible,
4. Training and development aligned with emerging technologies.

On the other hand, if educators cannot critically engage with technology, the increasing reliance on digital platforms poses a threat to teachers' autonomy. Teachers may become passive implementers of data-driven systems rather than empowered decision-makers if they lack the knowledge and skills necessary to understand ethical and legal principles. Therefore, expertise in ethical reasoning and data governance must be included in the definition of empowerment, which must go beyond technological abilities.

The Constitutional Foundation for the Protection of Personal Information in Educational Settings

In the landmark case of Justice K.S. Puttaswamy v. Union of India (2017), the Supreme Court of India recognized the right to privacy as a fundamental right under Article 21 of the Constitution of India. The Supreme Court stressed the importance of informational privacy as an essential component of personal liberty, autonomy, and dignity.

In educational settings, privacy concerns arise from continuous digital monitoring, data-driven assessment, and profiling of students' learning behaviors. Due to their limited understanding and agency, children and young learners are especially susceptible to privacy intrusions. Other vulnerable groups include adults.

Teachers hold a position of trust and are responsible for protecting their students' information. Inherent to the relationship between a teacher and a student is the ethical and constitutional commitment to protect the student's right to privacy. On the other hand, teachers frequently struggle to strike a balance between protecting students' privacy and achieving instructional goals because they lack clear standards and training.

The Digital Personal Data Protection Act of 2023 and Information Technology in Educational Institutions

India's first comprehensive data protection legislation is the Digital Personal Data Protection Act, 2023, which was passed in 2023. Consent-based processing, purpose limitation, data minimization, accuracy, and accountability are among the principles established under the Act (Government of India, 2023).

Institutions of higher learning are considered "data fiduciaries," while students are "data principals." Teachers serve as operational intermediaries responsible for collecting and

processing educational data, including attendance, assessment, and communication records, even though the Act does not officially describe teachers as such.

Enhanced safeguards and responsible processing are mandated under the Act, which places particular emphasis on protecting children's personal information. The processes for obtaining consent, the constraints on data gathering, and the ethical use of digital assessment tools are consequently essential for educators to understand. In the absence of teacher understanding, legal compliance risks undermine the Act's effectiveness in operational settings.

Ethical Pedagogy and the Indian Knowledge Systems

IKS, which stands for Indian Knowledge Systems, offers a wealth of ethical insights into education by emphasizing holistic growth, moral discipline, and the appropriate use of knowledge. In the past, traditional educational approaches, such as the Gurukula system, placed greater emphasis on trust, mentorship, and character formation than on monitoring and controlling students (Sharma, 2019).

IKS places strong emphasis on values fundamental to digital education, such as dharma (which means "ethical duty"), viveka (which means "discernment"), and maryada (which means "restraint"). The incorporation of these concepts into contemporary pedagogy can serve as a guide for educators as they make ethical decisions about adopting technology and using data.

IKS-based ethical pedagogy is a valuable addition to modern legal frameworks because it helps to ground digital behaviors in cultural and moral traditions. This helps ensure that innovation remains human-centered and value-oriented once implemented.

Challenges in Ethical Governance of Educational Data

Even though there have been positive advancements in policy and legislation, certain obstacles still exist:

- Educators have a limited understanding of the laws governing data protection.
- There is a lack of established regulations about data governance in educational institutions nowadays.
- growing reliance on evaluation systems that are based on opaque algorithmic processes,
- There is a persistent digital divide that is affecting participation and equity of access.

These difficulties impair both the protection of personal information and teachers' empowerment. The implementation of coordinated initiatives at the policy, institutional, and pedagogical levels is required in order to address them.

Recommendations

For the purpose of enhancing the ethical governance of educational data, the report suggests the following:

- It is imperative that data protection and digital ethics be incorporated into teacher education programs' curricula.
- Governance mechanisms for educational data at the institutional level are being developed.
- Pedagogy that is sensitive to privacy was the primary focus of capacity-building programs.
- The incorporation of Indian Knowledge Systems into programs aimed at promoting sustainable digital literacy.

The process of making decisions through participation, in which teachers are involved in

the adoption and evaluation of educational technologies.

Conclusion

The NEP 2020 vision of empowered, independent, and ethically grounded teachers is achievable only through the implementation of ethical governance of educational data. To ensure that education remains a place of trust, dignity, and holistic development, technological progress must be guided by ethical clarity and legal knowledge. Developing a comprehensive framework that protects individuals' privacy while empowering educators to act as responsible stewards of educational data is within India's capacity through the harmonization of constitutional principles, data protection law, and Indian Knowledge Systems.

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