



Student Data Privacy Consortium

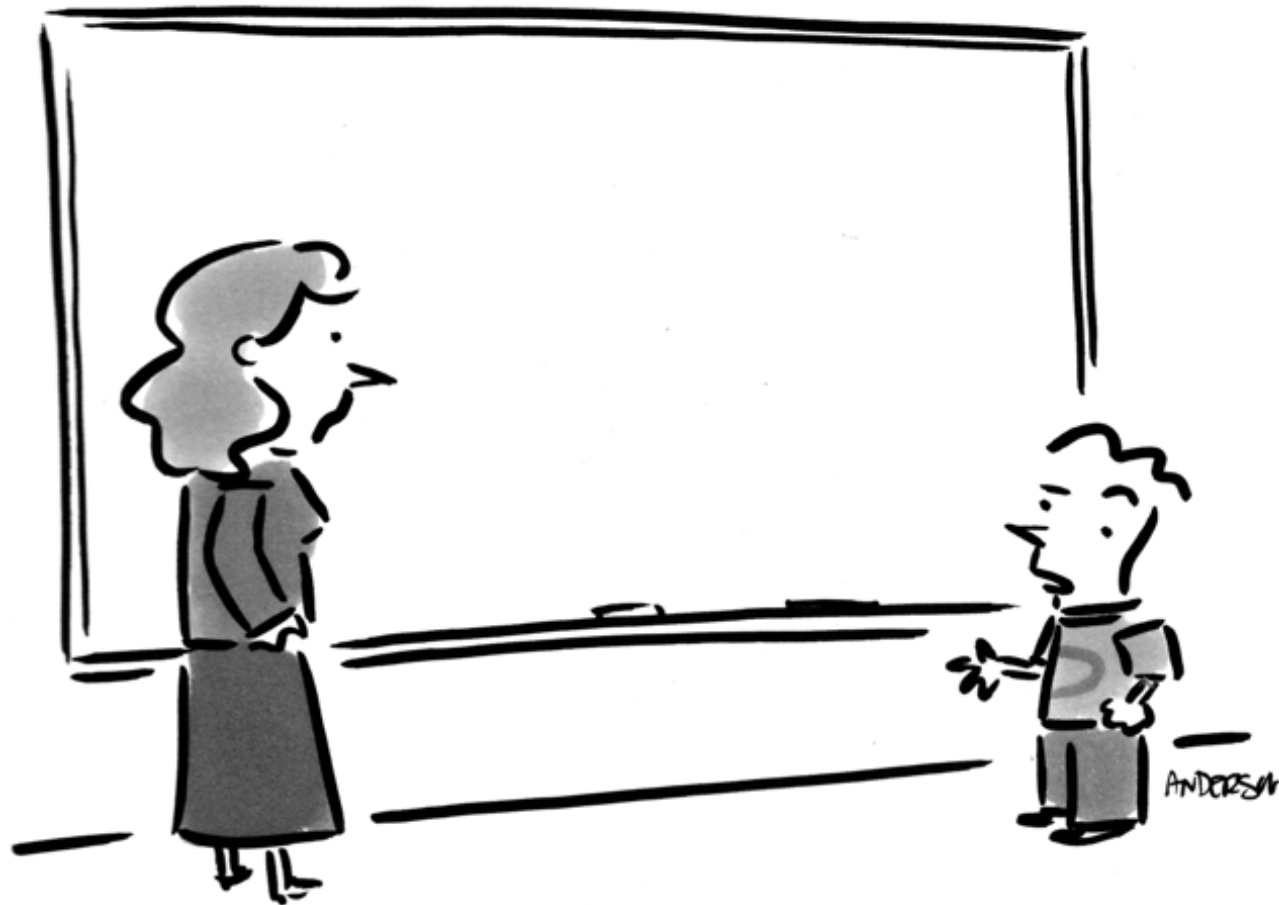
Student Data Privacy: What Are YOUR Obligations TN?

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TENNESSEE EDUCATIONAL
TECHNOLOGY ASSOCIATION





"Before I write my name on the board, I'll need to know how you're planning to use that data."



EDTech in Schools



Technology

Explosion of technology in schools



1:1 Programs

Most districts have some sort of 1:1 program



Chromebooks

Now in 70% of U.S. schools



2018 EdTech market

In the U.S it is worth over \$8.38B.



Online Resources

The average U.S. school employs 400 to 1000 online tools/apps (whether then know it or not)

.... and then there is.....



Why Do I Have to Worry About Student Privacy?

- **The What: Student Data**
- **The Why: Legal Implications**
- **The How: Student Data Privacy Alliance and Partners**
- **The Where: Resources**

Student Privacy – The What



Information that is tied to individual students is referred to as personally identifiable information, or PII, and is subject to additional restrictions in laws and regulations.

- This includes name, address, names of parents or guardians, date of birth, grades, attendance, disciplinary records, eligibility for lunch programs, special needs, and other information that is collected, stored, and communicated by schools or technology vendors
- It also includes the data created or generated by the student or teacher in the use of technology (e.g. email accounts, online bulletin boards, work performed etc.)
- Some student personal information such as social security number, is highly sensitive and collection may be barred by state law.

Student Privacy Laws – The Why



CIPA

Children's
Internet
Privacy Act

PPRA

Protection
of Pupils
Rights
Amendment

COPPA

Children's'
Online
Privacy &
Protection
Act

HIPAA

Health
Insurance
Portability &
Accountability
Act

FERPA

Family
Educational
Rights &
Privacy Act
(1974)

STATE LAW

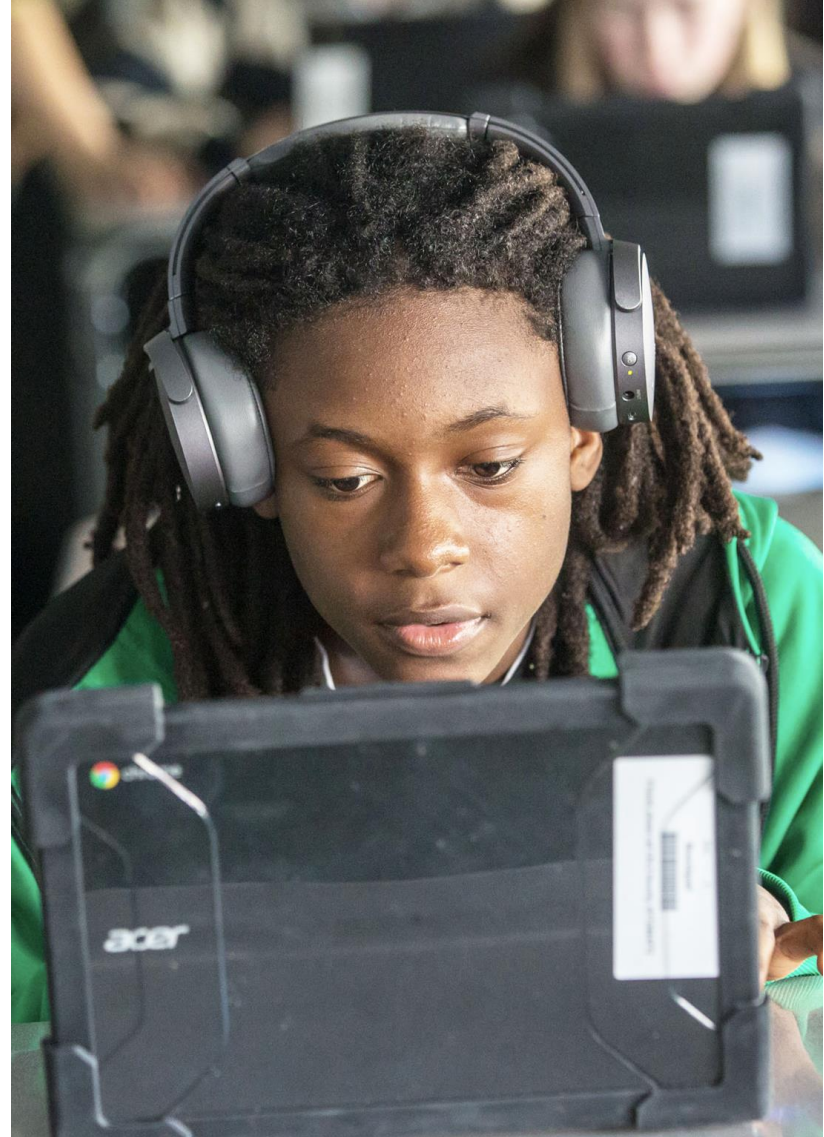
State
Legislation
Local Statutes
and
Regulations

Student Privacy Laws

FERPA

Family Educational Rights & Privacy Act (1974)

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31).



FERPA (1974)



When FERPA was written....



....“cannot share records without parental consent”



FERPA Exceptions

Other schools to which a student is transferring;

1

Specified officials for audit or evaluation purposes;

2

Appropriate parties in connection with financial aid to a student;

3

Organizations conducting certain studies for or on behalf of the school;

4

Accrediting organizations;

5



To comply with a judicial order or lawfully issued subpoena;

6

State and local authorities, within a juvenile justice system, pursuant to specific State law.

7

Appropriate officials in cases of health and safety emergencies;

8

School officials with legitimate educational interest;

9

Student Privacy Laws

FERPA



School officials with legitimate educational interest;

- Performs an **institutional service** or function for which the school or district would otherwise use its own employees;
- Has been determined to meet the criteria set forth in the school's or district's annual notification of FERPA rights for being a school official with a **legitimate educational interest** in the education records;
- Is under the **direct control of the school** or district with regard to the use and maintenance of education records; and
- Uses education records **only for authorized purposes** and may not re-disclose PII from education records to other parties (unless the provider has specific authorization from the school or district to do so and it is otherwise permitted by FERPA).

Student Privacy Laws



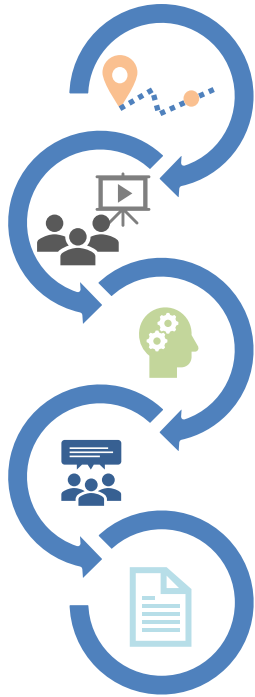
FERPA

**School officials with legitimate educational interest.
Data Privacy Agreements (DPA) should cover;**



- Security and Data Stewardship Provisions.
- Collection Provisions.
- Data Use, Retention, Disclosure, and Destruction Provisions.
- Data Access Provisions.
- Modification, Duration, and Termination Provisions.
- Indemnification and Warranty Provisions.

What Are The Critical Components to Put ME in Charge?



➤ **Application Data Management**

- *What are some effective and proven ways to perform my data manager role?*
- *What are some effective and proven ways to save us time and critical resources?*

➤ **Student Data Privacy**

- *What are some effective and proven ways to perform my data stewardship privacy role?*
- *What are some effective and proven ways to save us time and critical resources?*

A4L:

- Non-Profit started in 1997
- Membership driven with schools, districts, regional and state agencies, other professional organizations and marketplace providers in the Community
- Collaboratively develops technical blueprints for data to move safely and securely between school software applications
- Used in every state and Communities in 4 Countries

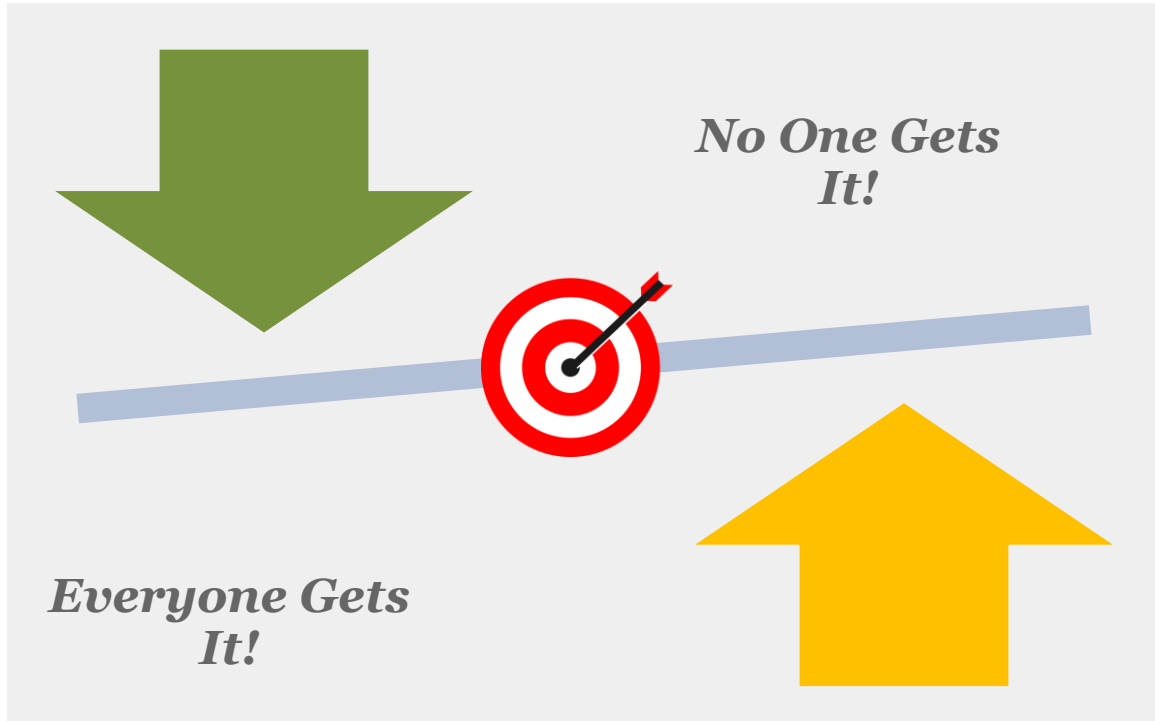
SDPC:

- Special Interest Group of A4L Community started in 2015
- Maintains its own governance, oversight and resource support
- Numerous stakeholders addressing data privacy “Pain Points”
- Working on three projects identified and worked on by members:
 - Privacy Contract Framework
 - Digital Tools Governance
 - Global Education Privacy Standard

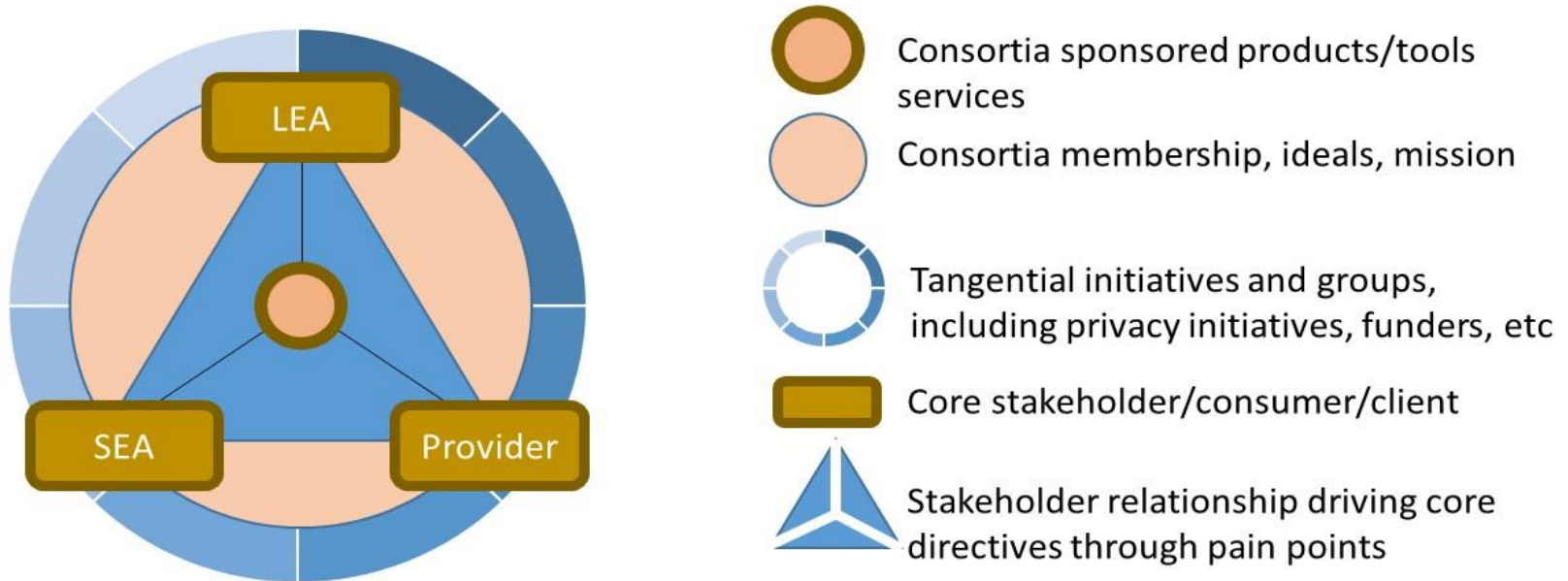
Its Not “One or the Other”!



Student Data Privacy Consortium



SDPC Scope – THE HOW



SDPC Origin

The SDPC:

- Built upon work done in CPS
- 12+ years working with vendors
- Developed in house tools
- Awareness building
- Standardized DPAs
- Expanded across MA

The screenshot shows the Cambridge Public Schools Student Data Privacy website. The browser address bar displays the URL: cpsd.us/cms/One.aspx?portalId=3042869&pag.... The website header includes the Cambridge Public Schools logo and navigation links for [Select a School](#), [Language](#), [Login](#), and [Search](#). A secondary navigation bar contains links for [School Registration](#), [Calendar](#), [Employment](#), and [Contact CPS](#). Below this, there are tabs for [STUDENTS & FAMILIES](#), [TEACHERS & STAFF](#), and [WORK FOR CPS](#). The main content area is titled "Student Data Privacy" and features six resource icons: [Request New Resource \(For Staff Only\)](#), [Professional Development](#), [CPS Digital Resource List](#), [Legal Resources](#), [Student Use of Computers at Home](#), and [Form Policies & Procedures](#). The page is divided into sections for **FOR STAFF** and **FOR FAMILIES**. The **FOR STAFF** section includes a "Why Student Data Privacy Matters" paragraph, a "Latest CPS Approved Resources" list (Avast Assessment, O'Camper Studios, CufuPad, Genius Photography, and a link to a Declaration of Independence, 8th grade civics course), and a "Trusted Learning Environment" section. The **FOR FAMILIES** section includes a "Why Student Data Privacy Matters" paragraph and a "5 Top Student Data Privacy Resources" list (Family Policy Compliance Office, Student Privacy 101: FERPA for Parents and Students, A Parents Guide to Student Data Privacy, Why Education Data?, and Privacy Initiative). The footer contains the Cambridge Public Schools contact information (135 Berkshire Street, Cambridge, MA 02141, 617.349.8400), a [CONTACT US](#) button, and links for [Privacy Policy](#), [Web Accessibility Statement](#), [Disclaimer](#), [City of Cambridge's Website](#), and [Webmaster](#). Social media icons for Facebook, Twitter, YouTube, LinkedIn, and Instagram are also present.



Privacy – By The Numbers...

the Student Data Privacy Consortium (SDPC)



Student Data Privacy Consortium

- ✓ Application Resource Registry – Check the Apps!
- ✓ National Data Privacy Agreement Clause Set
- ✓ Automate and Certify Software Contract Privacy Obligations
- ✓ Privacy Effective Practice Sharing Tools
- ✓ A Growing International Community Setting Clear Expectations Between Vendors and Customers
- ✓ Three dozen vendor members

Alliances, Alliances,

Alliance Roles

Participate

in the SDPC and interact with other Alliance members and SDPC Projects

Develop

contract wording that could be used by all districts with their vendors and provide transparent communications to parents and community members on application usage.

Convene

stakeholders in their state to identify pain points and gauge the interest in developing a “common contract framework” and tools use as 16 other states have done to date.

Advocate

for student data privacy and locally support the ongoing needs of the Alliance including bringing possible projects to the larger SDPC Consortium for review and vetting by other Alliances.

The TN Alliance



TENNESSEE EDUCATIONAL TECHNOLOGY ASSOCIATION

The TETA was formed in 1993 by educators who saw a need for a focus on educational technology. Our purposes include: to share and exchange ideas, materials, and procedures; to promote the effective use of information, communication, and technology; to encourage the appropriate use of technology for the improvement of educational management; to promote professional standards in the field of educational technology; and to communicate current research relating to educational technology.

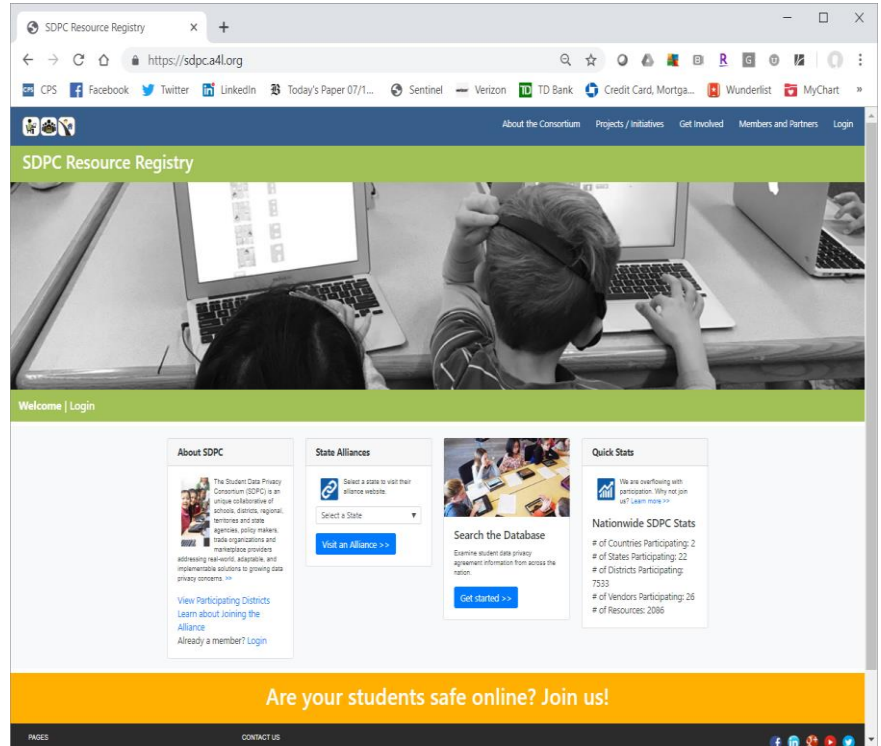


<https://www.teta.org>

Leveraging Each Other's Work

The Privacy Contract Framework project is focused on the development a framework for identifying solutions that have on-the-ground and real-world impact on student data privacy enabling schools, districts, state, and vendors find resources, adapt them to their unique context and implement needed protections. Application Profiles will be developed to support “apples to apples” comparisons.

SDPC Resource Registry



QUICK
DEMO

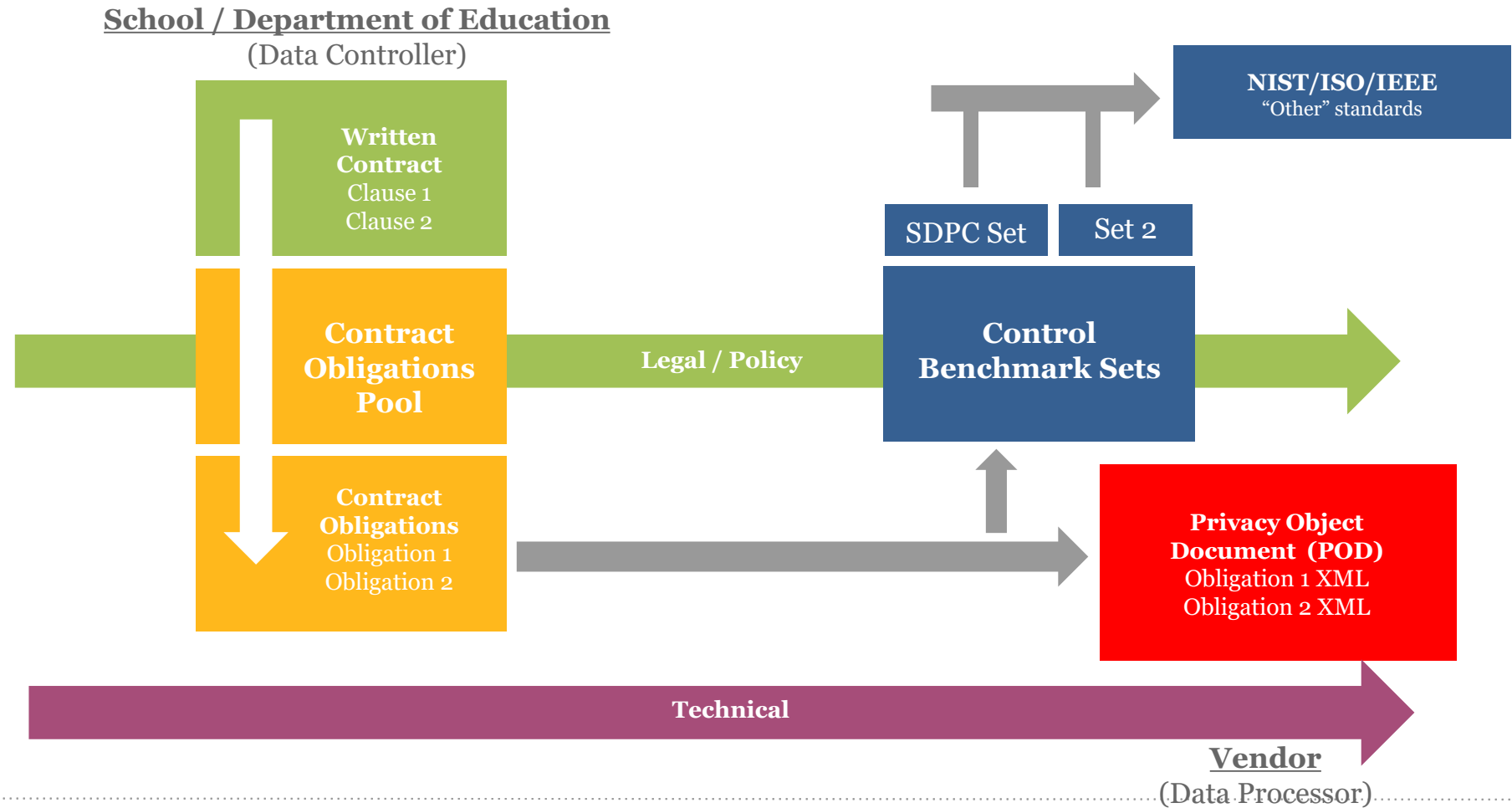


Join the TN Alliance Work “Starting Point”



1. [Check the Resource Registry](#) – No Password Needed!
2. [Check the TN Alliance Site](#)
3. [Request – Or Push Your Tech Support – To Get an Account and Join Free!](#)
4. Explore the Resource Registry Tools and Import Your List of Apps (PDF)
5. The Alliance will begin convening to discuss a statewide agreement or working to adopt the *National Data Privacy Clause Set* under development

FYI: The Global Education Privacy Standard (GEPS)



Student Privacy – The Where



[ConnectSafely Educator's Guide to Social Media](#) explains how educators can use social media in the classroom without risking their professional reputation.

[FERPA | SHERPA](#) specific resources for classroom practitioners inside a much larger site that provides service providers, parents, school officials, and policymakers with easy access to materials and resources to help guide responsible uses of student's data.

[Department of Education PTAC](#) videos resource for education stakeholders to learn about data privacy, confidentiality, and security practices related to student-level longitudinal data systems and other uses of student data.

[Protecting Student Data](#) – Common Sense Media Brief and short checklists for teachers

[Utah Board of Education Privacy Videos](#) - GREAT video resources for all audiences

Resources



Student Data Privacy Consortium

TRAINING: District Admins
February 25, 2019

**Student Data Privacy Consortium (SDPC)
Application / Resource Registry**



Student Data Privacy Consortium

Student Data Privacy Consortium

Alliance 101 Handbook



A4L



Student Data Privacy Consortium

Student Data Privacy Consortium

'Tactical' Privacy for the Front Lines

<https://privacy.A4L.org>

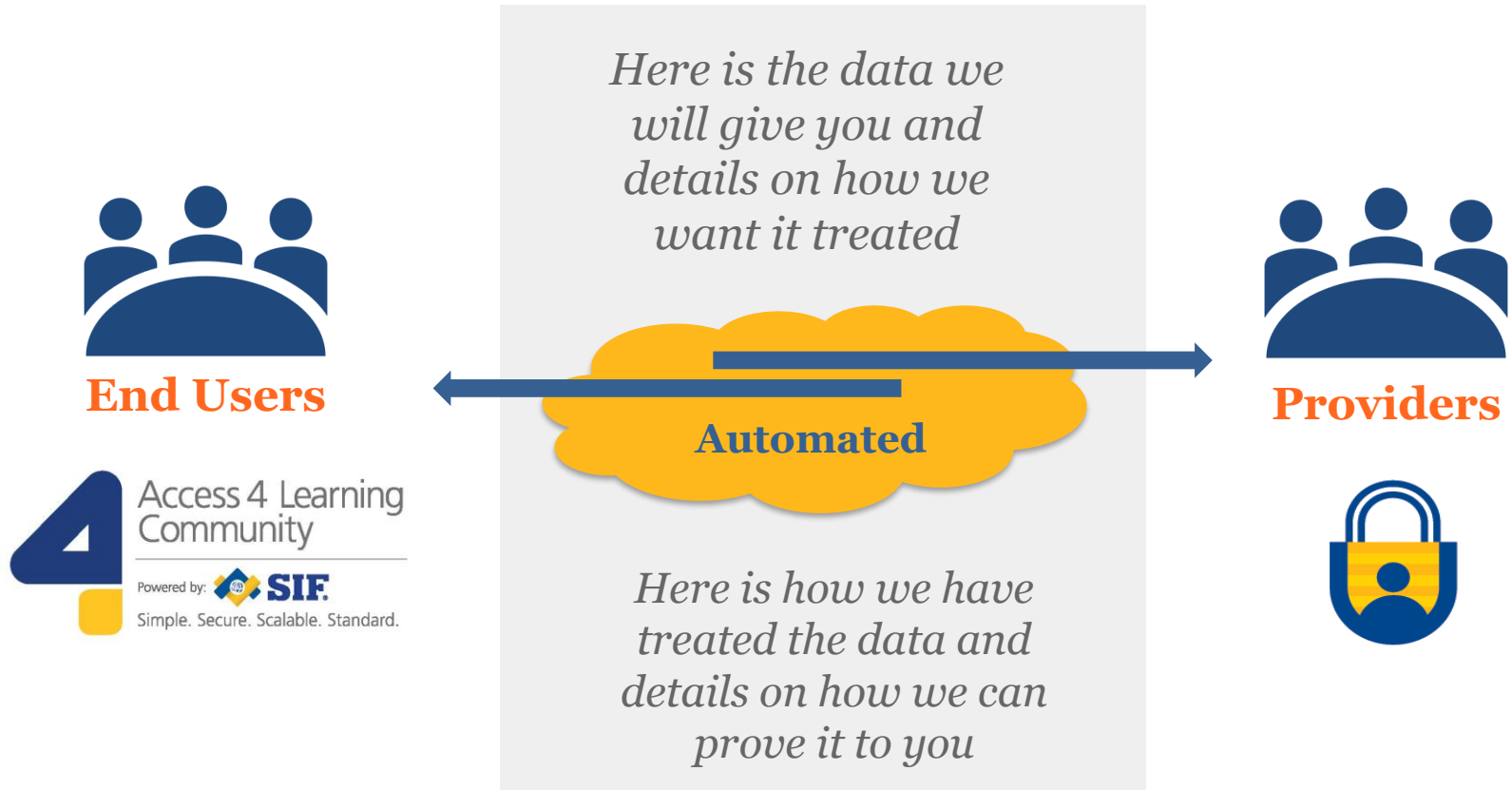
Over the past 2 years there have been more than 100 student data privacy legislative efforts crafted in more than 35 states with even more activities going on internationally. While most federal, state and territory education agencies voice that they want to support their school's privacy issues, most realize these needs are best addressed locally by practitioners who are most vested in keeping student data secure and private.



In 2015 the non-profit **Student Data Privacy Consortium (SDPC)** was established to address these "tactical" and "on the ground" needs. Formed after a year of research, outreach surveys, and one-on-one conversations, the SDPC is now made up of thousands of schools, regional and state/territory education agencies and marketplace providers identifying common privacy issues and developing solutions that can be put in place at all levels of the education data continuum. Much of the work of the Community is done in formed (green) or forming

Frequently
Asked
Questions

The Result – Common Expectations!



*Increased interoperability without the inclusion of privacy requirements = increased RISK.
Both data sharing and privacy parameters must be identified and communicated.*

Find Out More



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<https://privacy.a41.org>