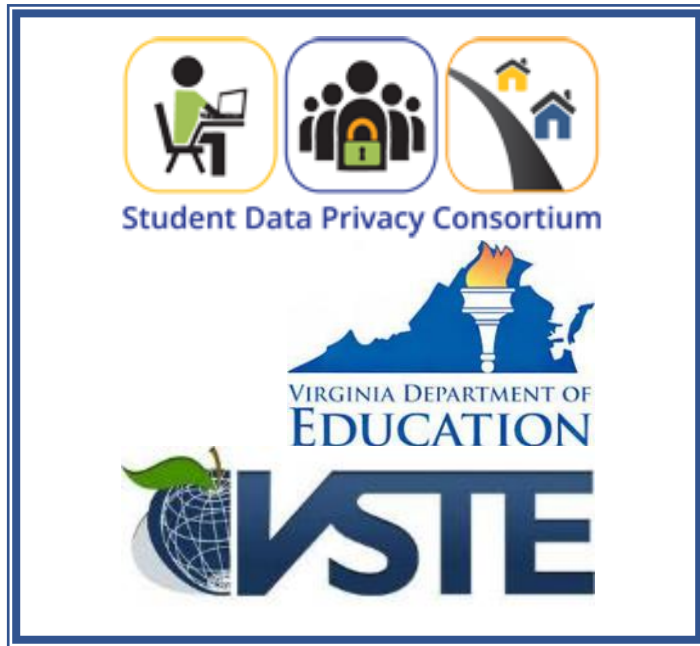




The VA Student Data Privacy Alliance



Saving Time, Money and Headaches!

[HTTPS://PRIVACY.A4L.ORG](https://privacy.a4l.org)

Agenda



- **Welcome**
- **Quick 101**
- **Registry Public Access**
- **Registry Tools**
- **Effective Practices**
- **Q and A / Wrap**

Dr. Larry Fruth
CEO - A4L/SDPC

Steve Smith
CIO - Cambridge Public Schools

Lisa Waters
Digital and Creative Service Manager -
Cambridge Public Schools

Penny Murray
Community Director - A4L/SDPC

The Who



Access 4 Learning Community

- 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 (SIF) for data to move safely and securely between school software applications
- Used in every state and Communities in 4 Countries
- <https://www.A4L.org>



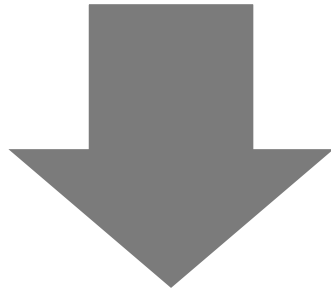
Student Data Privacy Consortium

- Special Interest Group of A4L Community started in 2015
- Maintains its own governance, oversight and resource support
- 30 State Alliances with over 9,000 schools and 75+ vendors
- Addressing privacy “Pain Points”
- Working collaboratively on projects, tools, effective practices and partnerships for “tactical student data privacy”
- <https://sdpc.A4L.org>

Its Not “One or the Other”!



Student Data Privacy Consortium



**No One
Gets It!**



**Everyone
Gets It!**



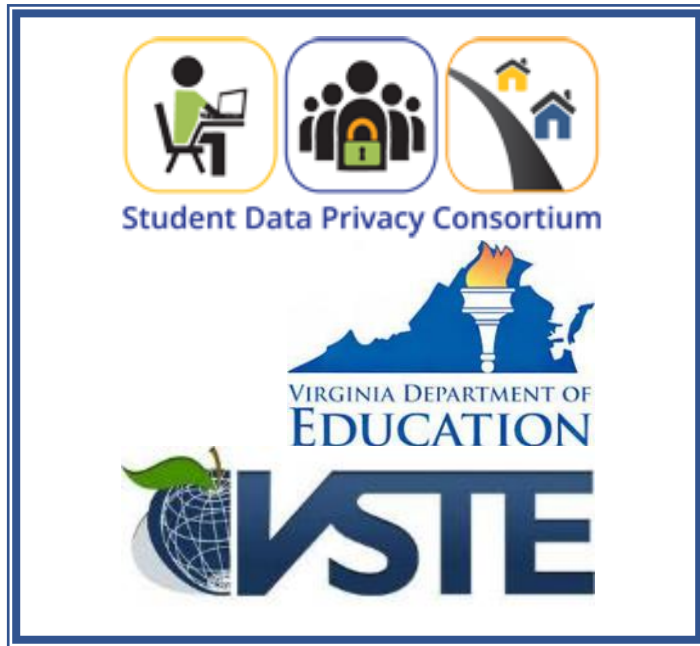
***“Connecting and
Securing Effective
Learning Ecosystems”[®]***



Access 4 Learning
Community

Powered by:  **SIF**

Simple. Secure. Scalable. Standard.



Quick Privacy 101 - Registry Access



[HTTPS://SDPC.A4L.ORG](https://sdpc.a4l.org)

The Why: Student Privacy Laws



CIPA	PPRA	COPPA	HIPAA	FERPA	STATE
Children's Internet Protection Act	Protection of Pupils Rights Amendment	Children's Online Privacy & Protection Act	Health Insurance Portability & Accountability Act	Family Educational Rights & Privacy Act (1974)	Legislation as well as Local Statutes and Regulations
Internet filters for K–12 schools and libraries to protect children from harmful online content as a condition for federal funding.	Requires parental consent for any surveys that contain political, sexual, mental state, relationships, religious information	Requires operators of websites or online services for children under 13 that they are collecting personal information	Usually HIPAA does not apply because information by definition is part of “education records” under FERPA and, therefore, is not subject to the HIPAA	Schools must have written permission to release any information but allows schools to disclose under certain conditions	40 states have passed 125 student privacy laws since 2013 laws § 22.1-287.02. Students' personally identifiable information

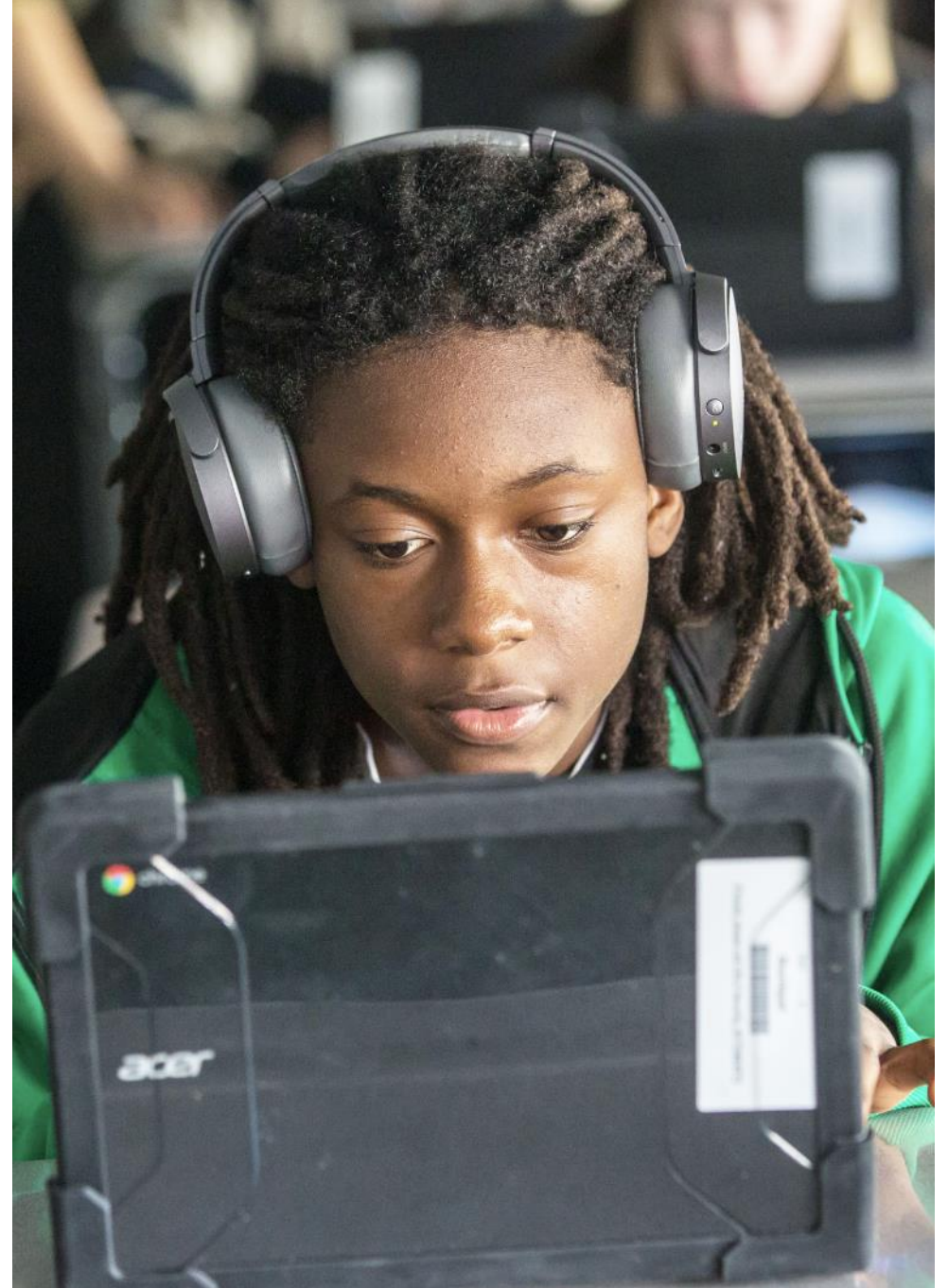
Student Privacy Laws

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 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.

The What...

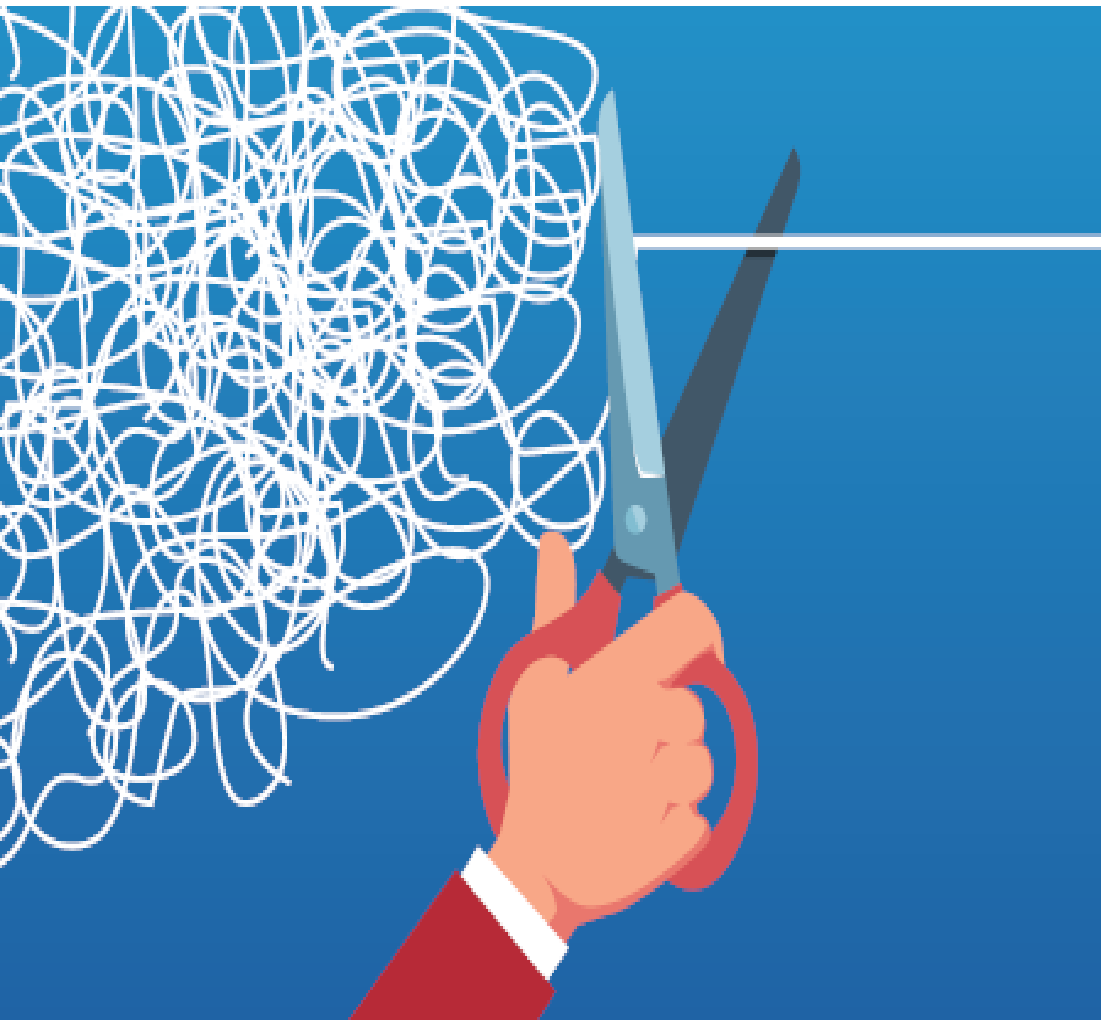


Now that you know you **SHOULD** have a **Data Privacy Agreement (DPA)** – What's Next?

Fun Facts:

- 13,000+ US Public School Districts
- 85% of Them Have Less Than 5,000 students – Many CIO's Teach Daily!
- The Average US School Has Anywhere Between 400 and 1,000 Applications
- “Freeware” or “Freemium” Products Are Exploding

The Too Many Contracts ... and Not Much Time!



Wouldn't it Be Great If You Could:

- Save Resources (time, money, etc.) With ONE Data Privacy Agreement in ALL of Your Terms of Service Agreements with Vendors
- “Piggyback” Off Other Signed Agreements By Districts in Your Alliance?
- Seamlessly and Transparently Communicate Those Agreements to Staff, Parents, Etc.

Virginia Data Privacy Agreement



[Virginia School DPA V1](#)

- Some VA districts have begun to use
- 42 uploaded to the registry today

Introducing...

The National Data Privacy Agreement V1



✓ *Goals:*

- Further increase consistency across Alliance DPAs
- Standardize the DPA Format so it looks the same across Alliances
- Ease logistics of implementing
- Identify common legal requirements across jurisdictions
- Provide mechanism to add other jurisdiction specific requirements
- Standardize terminology & definitions across jurisdictions and working groups (Legislative)
- Greater impact on, and buy in from, the vendor marketplace = Adoption

Making Agreements “Simple”



NDPA Feature	Description
Section	Cover Page
Section	Page 2 - Options
Section	Page 3 - Signatories
Section	Standard Clauses
Section	Exhibits - A = Descriptions of Services - B = Schedule of Data - C = Definitions - D = Directive for Disposition of Data - E = General Offer of Terms - F = Data Security Requirements - G = Supplemental State Terms - H = Additional Terms or Modifications

and is entered into by and between:

[School District Name], located at [Street, City, State] (the “Local Education Agency” or “LEA”) and
[Provider Name], located at [Street, City, State] (the “Provider”).

WHEREAS, the Provider is providing educational or digital services to LEA.

WHEREAS, the Provider and LEA recognize the need to protect personally identifiable student information and other regulated data exchanged between them as required by applicable laws and regulations, such as the Family Educational Rights and Privacy Act (“FERPA”) at 20 U.S.C. § 1232g (34 CFR Part 99); the Children’s Online Privacy Protection Act (“COPPA”) at 15 U.S.C. § 6501-6506 (16 CFR Part 312), applicable state privacy laws and regulations and

WHEREAS, the Provider and LEA desire to enter into this DPA for the purpose of establishing their respective obligations and duties in order to comply with applicable laws and regulations.

NOW THEREFORE, for good and valuable consideration, LEA and Provider agree as follows:

1. A description of the Services to be provided, the categories of Student Data that may be provided by LEA to Provider, and other information specific to this DPA are contained in the Standard Clauses hereto.
2. **Special Provisions. Check if Required**
 - ☐ If checked, the Supplemental State Terms and attached hereto as **Exhibit “G”** are hereby incorporated by reference into this DPA in their entirety.
 - ☐ If checked, LEA and Provider agree to the additional terms or modifications set forth in **Exhibit “H”. (Optional)**
 - ☐ If Checked, the Provider, has signed **Exhibit “E”** to the Standard Clauses, otherwise known as General Offer of Privacy Terms

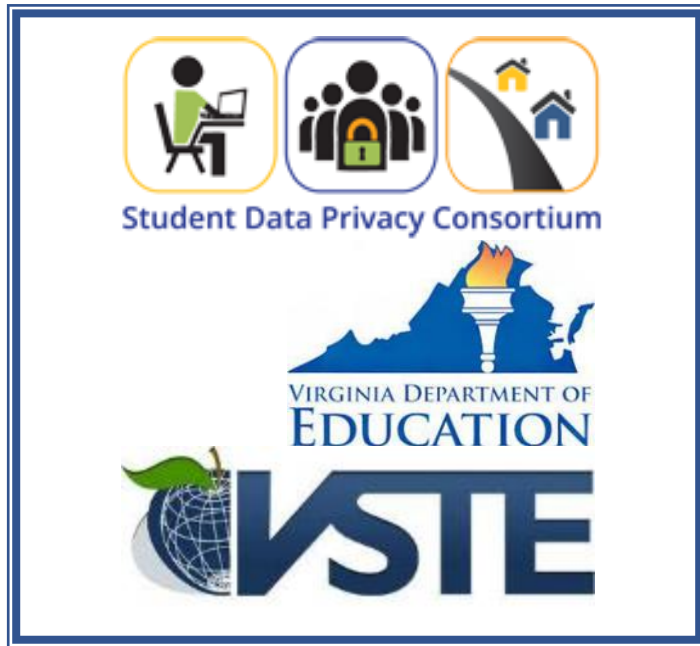
The National Data Privacy Agreement

“Rules of the Road”



Usage Guidelines

1. **NO** Clause Modifications
“Redlines”
2. **ALL** Modifications Done in Exhibits
** Provide “Back” to Alliance*
3. Utilize Exhibit E for Other Divisions
4. Follow All Posting Processes



Registry 101



[HTTPS://SDPC.A4L.ORG](https://sdpc.a4l.org)

The How: The SDPC

Privacy – By The Numbers...

the Student Data Privacy Consortium (SDPC)

25 State-wide Alliances



34million



Students supported
by Tools

9731



School Districts
represented

4



Countries Collaborating
on Privacy Issues

45990



Signed Vendor
Agreements

6959



Applications in
Database

43828



Signed "Piggyback"
Exhibit E

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

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

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.

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.

Application and Agreement Management



Contract/App Management

Under “Your Resources” Tab

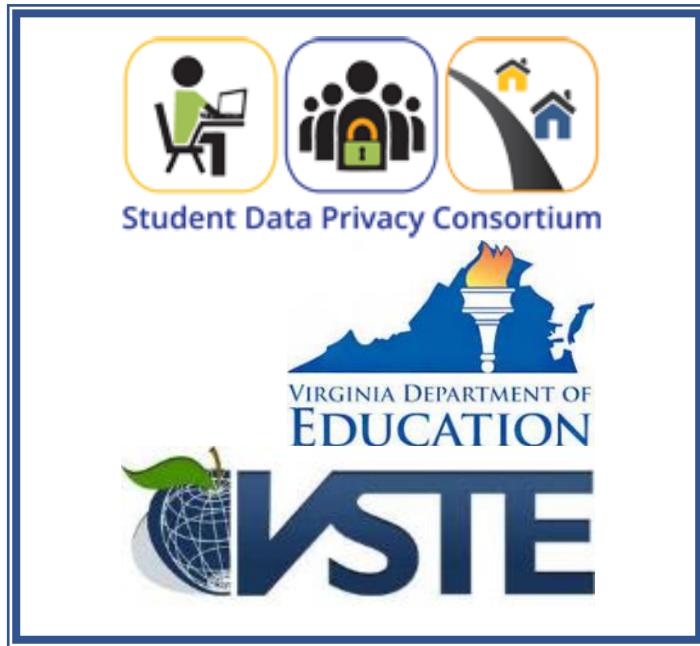


Transparency – Put in Your Website!

“Customized Resource Listing” Under “Tools” Tab

Software Name ↑↓	Agreement Status ↑↓	Agreement Type ↑↓	Agreement Dates ↑↓	Grade Level ↑↓	Content Area ↑↓	Data ↑↓
123apps	Vendor Unresponsive			K, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12	Instructional Technology	
ABC Mouse 	Active	TEC Vendor-Specific Agreement with Exhibit Location: KLO	Approved: 08/02/2018 Expires: 08/02/2021	K	English Language Arts, Instructional Technology, Math, Science, Other	
ABC-Clio, LLC	Active	TEC Agreement V5B with Exhibit	Approved: 08/15/2018 Expires: 08/15/2021			

Wythe County Example



Registry Tools

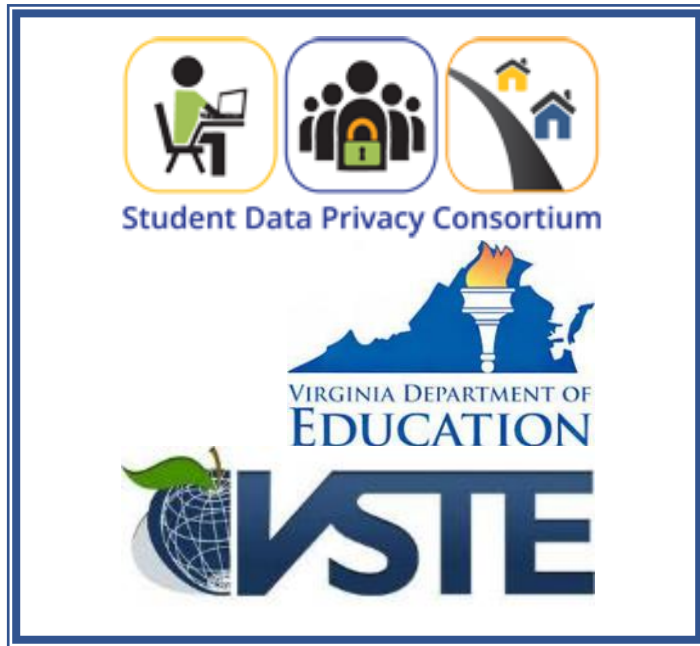


[HTTPS://SDPC.A4L.ORG](https://sdpc.a4l.org)

Time to Roll Up Your Sleeves.....



- Manage / Upload Agreements
- New Requests & Workflow Management
- Exhibit E Creator



Privacy Effective Practices



[HTTPS://PRIVACY.A4L.ORG](https://privacy.a4l.org)

Effective Practices? We Have Them!



- NDPA Guidance
- Resources
- SDPC Resource Registry Training Guide
- Help / Support

NDPA Guidelines & Usage



NDPA GUIDE

<https://privacy.a4l.org/national-dpa/>

- National Data Privacy Agreement (NDPA) template
- NDPA Usage Guidelines

The screenshot shows the top navigation bar of the A4L website with links: About the Consortium, Resource Registry, Resource Center, Join the Community, Blog, and Member Login. The main heading is "National Data Privacy Agreement". Below it, a paragraph states: "The Student Data Privacy Consortium (SDPC) is proud to announce the release of the first **National Data Privacy Agreement (NDPA)** to streamline application contracting and set common expectations between schools/districts and marketplace providers." Below this is a section titled "National Data Privacy Clause Set Areas" with a document icon. It contains a table of 12 items arranged in three columns.

Purpose of DPA	Security Coordinator	Advertising Prohibition
Student Data to be provided	Period Risk Assessment	Passwords and Employee Access
Parent Access	Privacy Compliance	Security Protocols
Third Party Request	Reasonable Precautions	Security Technology
Privacy Compliance	Nature of Series Provided	Sub-processors Bound

Resources



RESOURCES

<https://privacy.a4l.org/resources/#schools>

- District Training 'refresher' video
- On-Boarding 'refresher' videos

The screenshot shows the A4L Resources page. At the top is a blue navigation bar with icons for a person, a group, a house, and the A4L logo, followed by links: "About the Consortium", "Resource Registry", "Resource Center", "Join the Community", "Blog", and "Member Login". The main heading is "Resources". Below it is a paragraph: "We are in the process of putting various resources together to help you understand the SDPC, find out how to get started on your own Alliance, videos of how to use the SDPC Application/Resource Registry, PLUS external resources of interest." There are five filter buttons: "General", "Alliances", "School Districts", "Vendors", and "Vendor Showcase Webinars". Below these are four featured resource cards: "Frequently Asked Questions" with a "Read more" button; "Privacy By The Numbers" with a map of the US and statistics (25, 34, 45,990, 9731, 6959, 4, 43828); "Vendor Marketplace" with a grey background and icons; and "View Presentations" with an image of a man at a whiteboard. Below these cards is a yellow "General" section header. At the bottom, there is a video player area with a thumbnail of a network diagram, the title "Video: SDPC Resource Registry", a description: "> Are you looking for a 'picture' of the software applications in use in your School District and across your State? > Want a way to streamline contract negotiations, privacy requirements", and a "Watch video" button.

Resources

We are in the process of putting various resources together to help you understand the SDPC, find out how to get started on your own Alliance, videos of how to use the SDPC Application/Resource Registry, PLUS external resources of interest.

General Alliances School Districts Vendors Vendor Showcase Webinars External Resources

Frequently Asked Questions Read more

Privacy By The Numbers

Vendor Marketplace

View Presentations

General

Video: SDPC Resource Registry

> Are you looking for a 'picture' of the software applications in use in your School District and across your State?
> Want a way to streamline contract negotiations, privacy requirements

Watch video

Resource Registry Training Guide

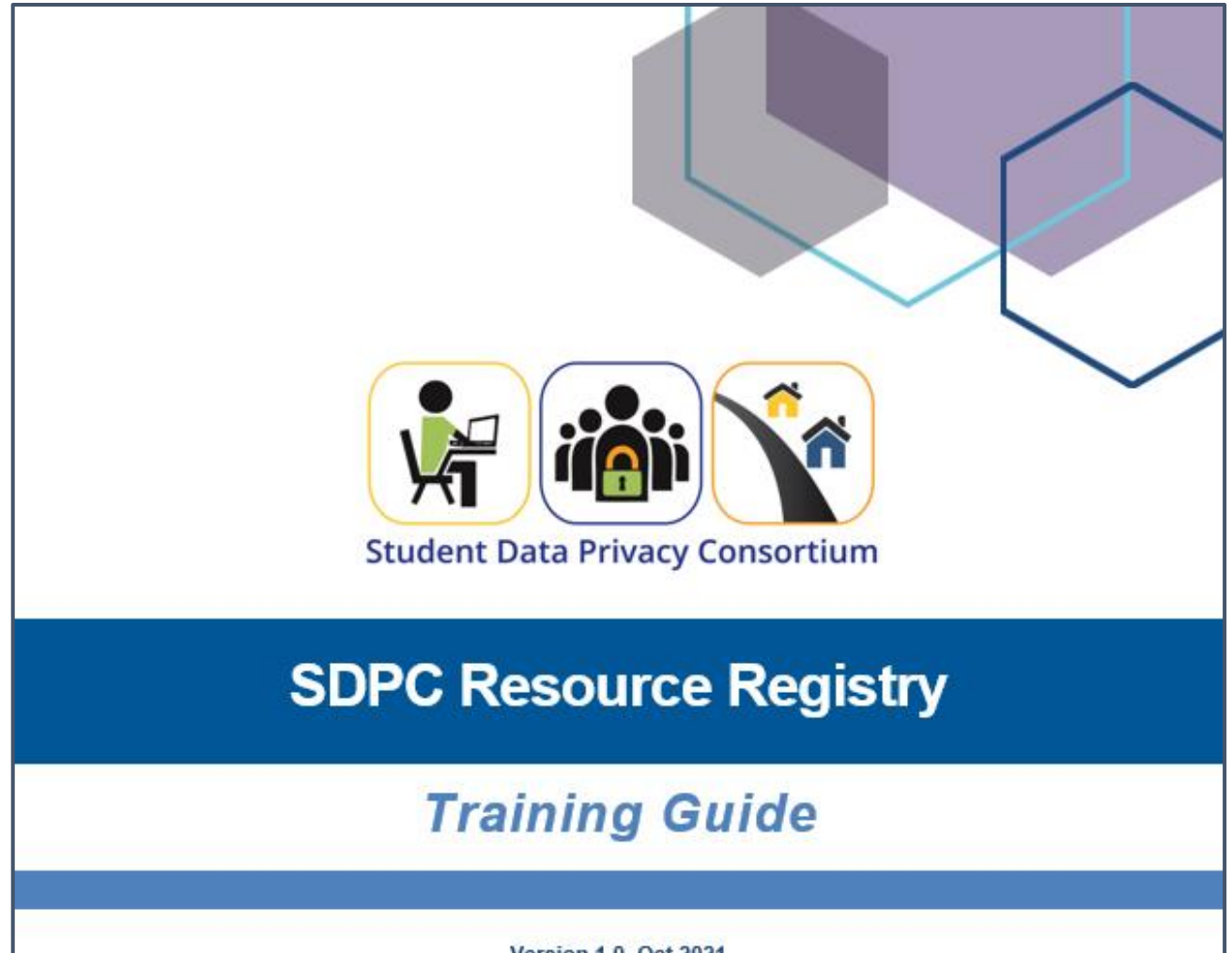


SDPC RESOURCE REGISTRY TRAINING GUIDE

...full guide coming soon!

Reference Guides:

- [Add Agreement \(Originator\)](#)
- [Add Agreement \(Subscriber\)](#)
- [Preparing an Agreement/Exhibit for upload](#)
- [Exhibit E's](#)
- [Change Agreement Type](#)



Help / Support



Alliance/Agreement queries

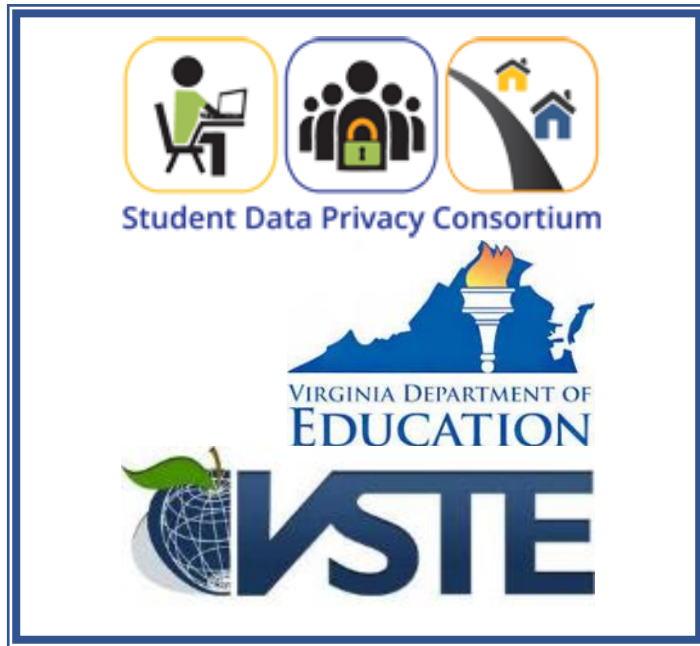
- Log into SDPC Resource Registry
- Help > Contact Support

(full list of all Alliance Admins available with email addresses)

Technical queries

<https://privacy.a4l.org/contact-us/>

The screenshot shows the SDPC Resource Registry website. The top navigation bar includes links for 'About the Consortium', 'Blog', 'Join the Community', 'Members and Partners', 'Resource Center', and 'Logout'. Below the navigation bar is a green banner with the text 'SDPC Resource Registry'. The main content area features a large image of hands typing on a keyboard. Below the image, a green banner says 'Welcome Penny Murray'. A dropdown menu is open under the 'Help' tab, showing options: 'Contact Support', 'FAQs', 'User Trainings', and 'Registry Resources'. The 'About SDPC' section on the left describes the Student Data Privacy Consortium (SDPC) as a collaborative of schools, districts, regional, territories and state agencies, policy makers, trade organizations and marketplace providers addressing real-world, adaptable, and implementable solutions to growing data privacy concerns. The 'Quick Stats' section on the right shows nationwide SDPC stats: 3 countries participating, 30 states participating, 10475 districts participating, 76 vendors participating, and 7945 resources. The 'Search the Database' section invites users to examine student data privacy agreement information from across the nation. The 'Non-State Alliance Members' section prompts users to select a state to see non-alliance members. The 'SDPC Vendor Members' section prompts users to download their SDPC badge(s).



Q and A and Wrap



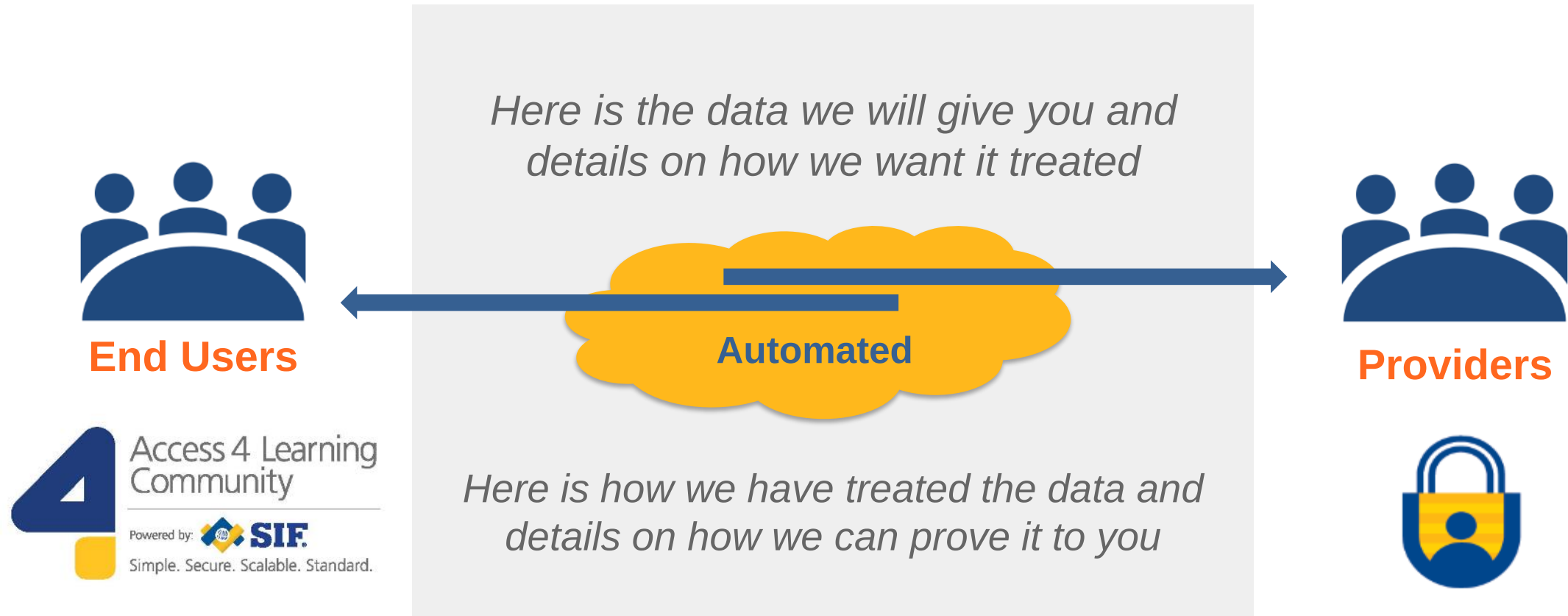
[HTTPS://PRIVACY.A4L.ORG](https://privacy.a4l.org)

Join the Virginia Alliance Work “Starting Points”



1. [Check the Resource Registry](#) – No Password Needed!
1. [Check the Virginia Alliance Site](#)
1. [Request – Or Push Your Tech Support – To Get an Account and Join Free!](#)
1. [Explore the Resource Registry Tools and Import Your List of Apps](#) (PDF)

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

- **Dr. Larry Fruth**
 - lfruth@a4i.org
- **Steve Smith**
 - ssmith@cpsd.us
- **Lisa Waters**
 - lwaters@cpsd.us
- **Penny Murray**
 - pmurray@a4i.org

<https://privacy.a4i.org/>