



Student Data Privacy Consortium

# Student Data Privacy

## What is Required



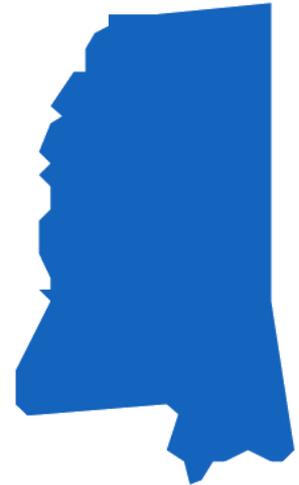
# Student Data Privacy



## Current Status

## Federal Legislation

FERPA, COPPA, PPRA, CIPA,  
HIPAA



## Guidelines & Resources

PTAC, CoSN, DQC, CSM,  
FPF, etc...



# HIPAA

Health Insurance Portability and Accountability Act of 1996

## When does it apply in schools?

- In most cases, the *HIPAA* Privacy Rule does not apply to an elementary or secondary school because the school either: (1) is not a *HIPAA* covered entity or (2) is a *HIPAA* covered entity but maintains health information only on students in records that are by definition “education records” under *FERPA* and, therefore, is not subject to the *HIPAA* Privacy Rule.



<http://bit.ly/2ipV4ri>

# CIPPA

## The Children's Internet Protection Act

### What does this CIPPA address?

- Requires that K–12 schools and libraries in the United States use Internet filters and implement other measures to protect children from harmful online content as a condition for federal funding.



# PPRA

## Protection of Pupil Rights Amendment

### What does this PPRA address?

Requires parental consent for any surveys that contain the following information;

- Political affiliations;
- Mental and psychological problems potentially embarrassing to the student and his/her family;
- Sex behavior and attitudes;
- Illegal, anti-social, self-incriminating and demeaning behavior;
- Critical appraisals of other individuals with whom respondents have close family relationships;
- Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- Religious practices, affiliations, or beliefs of the student or student's parent\*; or
- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.)

# COPPA

## Children's Online Privacy Protection Rule

- What does this COPPA address?
- Who Does COPPA apply to?
  - FTC Rule
    - COPPA imposes certain requirements on operators of websites or online services directed to children under 13 years of age, and on operators of other websites or online services that have actual knowledge that they are collecting personal information online from a child under 13 years of age.

# FERPA

Family Educational Rights and Privacy Act of 1974

Who can describe  
FERPA in layman's  
terms?



# FERPA

## Family Educational Rights and Privacy Act of 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):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

# FERPA

Family Educational Rights and Privacy Act of 1974

How does this affect our jobs in schools as IT leaders?

Let's Discuss

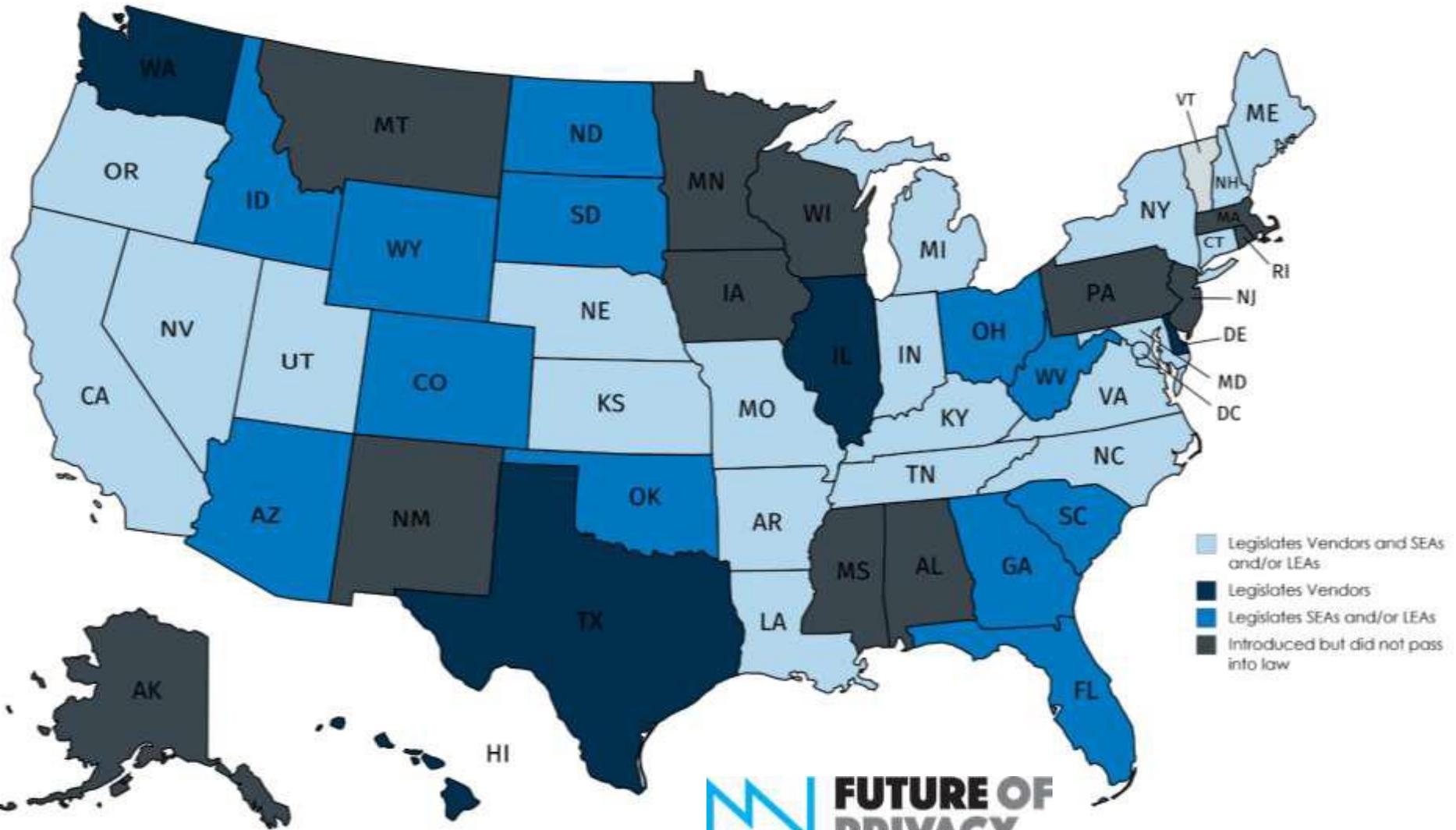


# FERPA

Family Educational Rights and Privacy Act of 1974

- 1) What role do you play in your District in ensuring FERPA requirements are being met?**
- 2) Who else in your District plays a role in protecting students' privacy?**
- 3) What do you feel you and your District do well in ensuring all student records/data are protected?**
- 4) What areas do you feel your District could improve in relation to ensuring the protection of your students' data?**

# 40 States Have Passed 125 Laws Since 2013



# YOU ARE THE ONLY ONE DRIVING THE CAR!

- Neither the federal government nor most state governments have made the enforcement of student privacy laws a priority. Except perhaps for the FTC, very few lawsuits.
- Many persons in the business department or other senior school management will not have the expertise to understand student privacy issues.
- The battles for student privacy will be mostly fought for now by your IT department or your CTO.



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**METIS**

**BREAK**



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# The Student Data Privacy Consortium

## The MS Alliance





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# SDPC Origin

## The SDPC:

- Was started in 2015 due to numerous stakeholders addressing data privacy “Pain Points”
- Is organized as a Special Interest Group (SIG) under the Access 4 Learning Community (a 501c3 Member Tech Standards Organization)
- Maintains its own governance, oversight and resource support
- Has schools, districts, regional and state education agencies, other professional organizations and marketplace providers as members
- Is supported through membership dues



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# SDPC Goals

**Establish a community of stakeholders** who have various needs addressed through policy, technology and/or effective practice sharing around effective privacy management,

Identify **projects 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,

Development of **tools and resources** to address operational issues not currently being addressed,

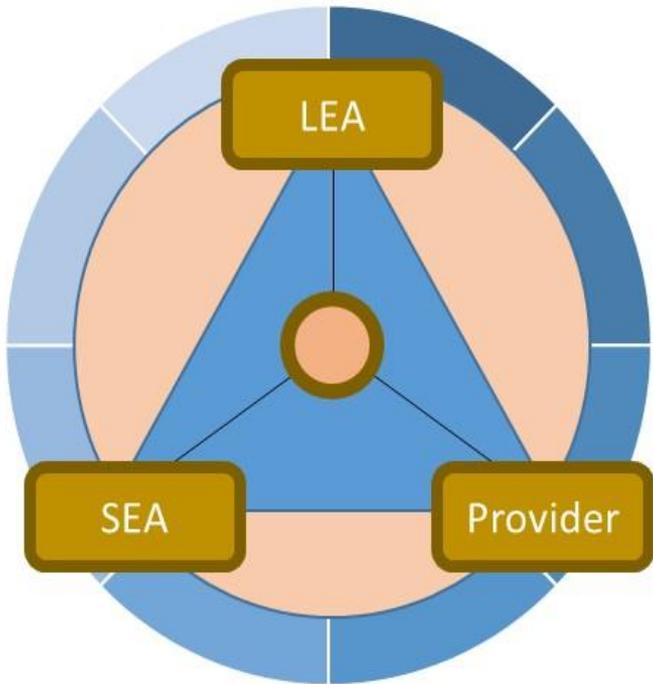
**Leverage partnership** organizations working in the privacy space to have their good work utilized and no reinvention of existing work,

Development of a **clearinghouse of student data privacy operational issues** and resources to support schools, districts, states and vendors in managing those issues – no matter where the resources originate.



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# SDPC Scope and Opportunity

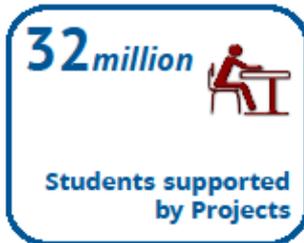


-  Consortia sponsored products/tools services
-  Consortia membership, ideals, mission
-  Tangential initiatives and groups, including privacy initiatives, funders, etc
-  Core stakeholder/consumer/client
-  Stakeholder relationship driving core directives through pain points



# Privacy – By The Numbers...

the Student Data Privacy Consortium (SDPC)



Learn about the new emerging "Global Education Privacy Standard" soon to change the way vendors & districts communicate and validate privacy requirements

Find out more: <https://privacy.A4L.org>

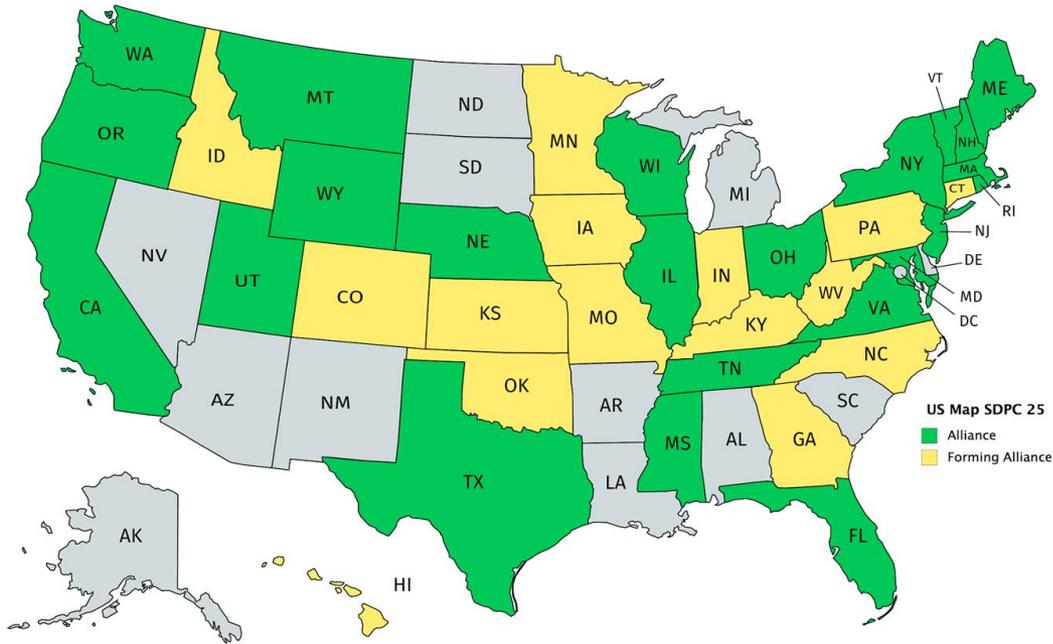
*"The California Educational Technology Professionals Association (CETPA), representing over 1,000 districts, has joined the Student Data Privacy Consortium. The Consortium has a mature process for establishing a statewide contract and a database for posting vetted applications and provides transparency to staff and community. Collaboratively working with our partners, we expect to build clear steps that will streamline the process in protecting our student's data by having a state-wide contract demonstrating compliance with CA legislation."*

**Andrea Bennett, CETPA  
Executive Director**



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# Alliances, Alliances, ....



***SDPC State/Territory Alliances (Green) and in Process (Yellow)***

***Currently 32 million Students Impacted by over 1650 Applications!***



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# Alliances, Alliances, ....

## Alliance Formation Models:

**Top Down:** *The State agency leading the charge to develop and grow the Alliance*

**Bottom Up:** *A LEA takes the lead to develop and grow the Alliance*

**Middle Driven:** *A regional service agency, professional association, or user group takes the lead to develop and grow the Alliance*

- CoSN, ISTE, SETDA, affiliates / Regional Service Agencies / Etc.

*\* All three models have examples of SEAs paying for Alliance Membership as a “value-add” to LEAs.*



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# Alliances, Alliances, ....

## Alliance Roles:

- ✓ **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.



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# SDPC Tactical Privacy Projects

- **Project 1: Privacy Contract Framework**

- *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.*



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# SDPC Resource Registry

SDPC Resource Registry

https://sdpc.a4l.org

About the Consortium Projects / Initiatives Get Involved Members and Partners Login

## SDPC Resource Registry

Welcome | Login

### About SDPC

The Student Data Privacy Consortium (SDPC) is an unique 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. >>

[View Participating Districts](#)  
[Learn about Joining the Alliance](#)  
Already a member? [Login](#)

### State Alliances

Select a state to visit their alliance website.

Select a State

[Visit an Alliance >>](#)

### Search the Database

Examine student data privacy agreement information from across the nation.

[Get started >>](#)

### Quick Stats

We are overflowing with participation. Why not join us? [Learn more >>](#)

#### Nationwide SDPC Stats

- # of Countries Participating: 2
- # of States Participating: 22
- # of Districts Participating: 7533
- # of Vendors Participating: 26
- # of Resources: 2086

**Are your students safe online? Join us!**

PAGES CONTACT US



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# SDPC Tactical Privacy Projects

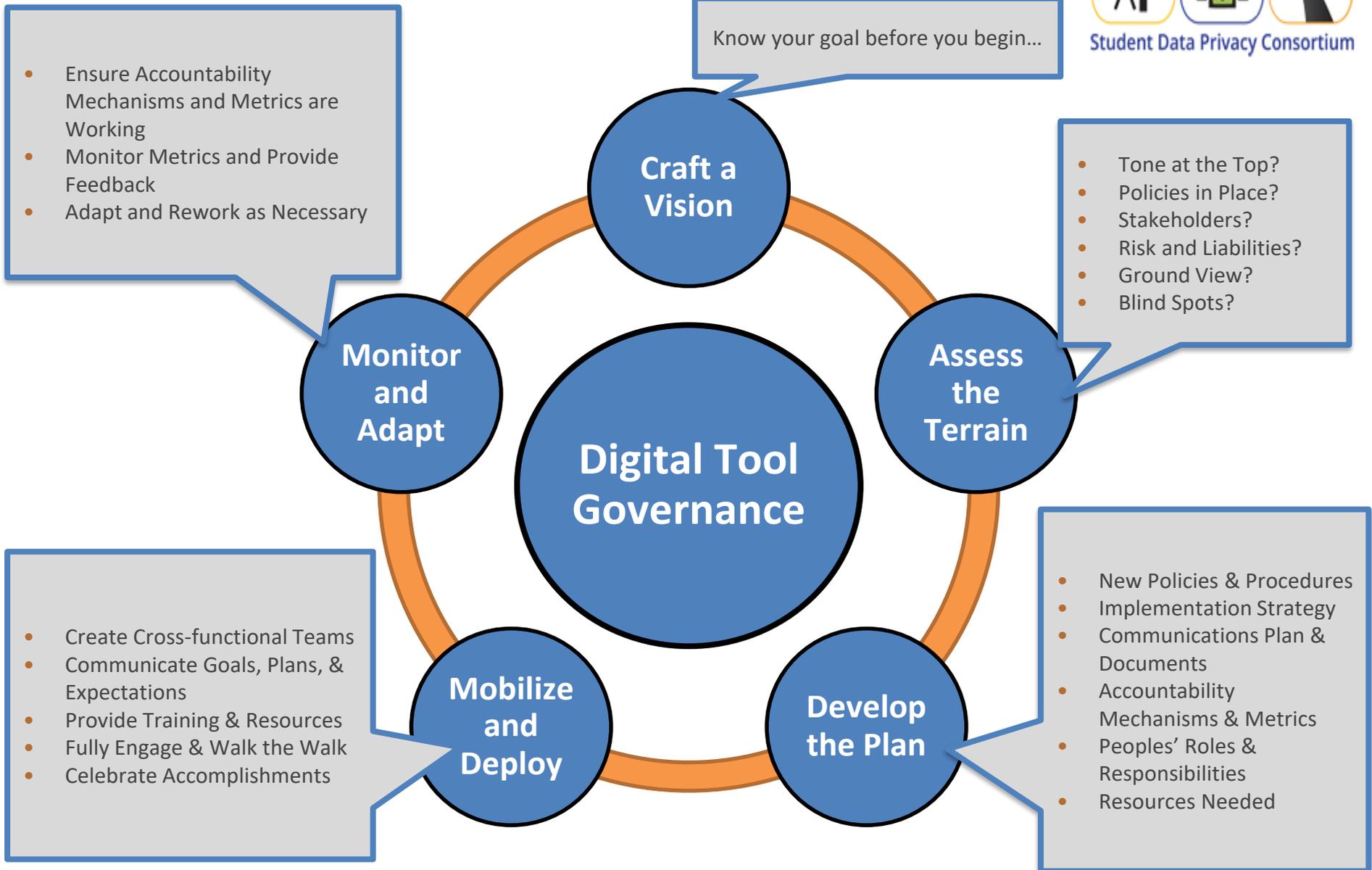
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- **Project 2: Digital Governance Tool**

- *The Digital Tools Governance project centers around developing a comprehensive framework for aligning a school system’s policy landscape, strategic programming, tactical processes, and accountability mechanisms to support the system’s vision of how its digital tool ecosystem will advance its overall mission and goals while minimizing its risks of data privacy and security incidents.*

# Framework for Transformative Digital Governance



# Digital Governance Tool (DGT)



**Welcome to the DGT.**

Below are the projects and your progress. Click on a project below to get started.

Privacy Policies

1 2 3 4 5

App Vetting

1 2 3 4 5

[View the Project Report](#)

Privacy Professional Learning

1 2 3 4 5

[Shared Resources](#)

[My Shared Resources](#)

[Shared Digital Governance Plans](#)

**View Your District's Digital Governance Plan** [→](#)

CONTRACT

Data Breach Issues

1 2 3 4 5

[View the Project Report](#)

Technical Cyber Security

1 2 3 4 5

Vendor-End User Engagement

1 2 3 4 5

[View the Project Report](#)

<https://secure1.cpsd.us/dgt/home.php>



# SDPC Tactical Privacy Projects

- **Project 3: Privacy Connect**

*OK the contract is all signed between marketplace provider and customer, the deliverables are clearly outlined and everything is outlined in the roles and responsibilities of each party.*

**Ready to go, right? No.** *In most cases the next call between the two parties to answer the question “How do you want us to deliver on X, Y and Z?”. This is especially true when it comes to student data privacy issues which usually outlines the need for vendors to use “industry established best practices/standards”. The issue is that for the education vertical, no practices or standards exist.*

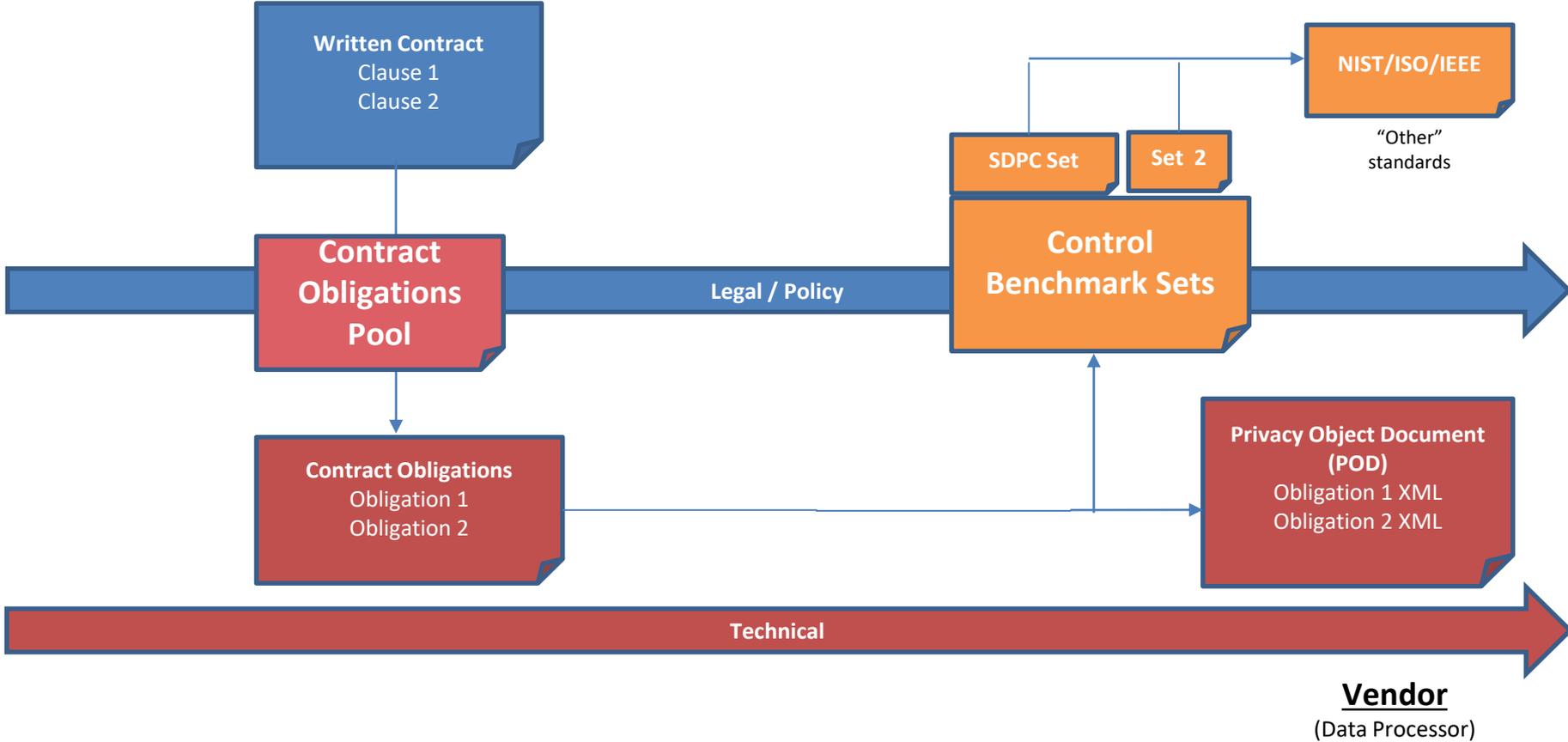
*The Global Education Privacy Standard, GEPS, is a PK-20 global set of data privacy obligations (obligations) that can be aligned to contractual clauses as well as technical control benchmarks. GEPS includes open XML code (PODS) to transfer privacy obligations between controllers and processors to bridge the gap in understand of education data protection expectations. GEPS allows for organizations to choose the SDPC standard suggestions or use other existing standards, (i.e. IEEE, NIST, ISO, etc.) to set their own expectations between vendors and customers on managing student data.*

# Global Education Privacy Standard (GEPS)



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School / Department of Education  
(Data Controller)





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# SDPC Resource Registry

SDPC Resource Registry | <https://sdpc.a4l.org>

Navigation: About the Consortium | Projects / Initiatives | Get Involved | Members and Partners | Login

## SDPC Resource Registry

### 2019 2<sup>nd</sup> Annual SDPC Meeting

APRIL 3, 2019 | PORTLAND, OR

- Contract Framework Update
- Digital Governance Tool Update
- Workshop on the SDPC Global Education Privacy Standard
- Student Privacy Boot Camp for non-SDPC members

\*Begins immediately following the CoSN closing ceremony.

[Register >](#)

Welcome

#### About SDPC



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- # of Districts Participating: 6967
- # of Vendors Participating: 20
- # of Resources: 1618

**Are your students safe online? Join us!**

PAGES: [About the Consortium](#) | CONTACT US: [A4L Community](#)

[Facebook](#) [LinkedIn](#) [Twitter](#) [YouTube](#) [Instagram](#)



# METIS

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## What Can I Do Now?

- Start an inventory
- Start a conversation in your district
- Begin building awareness
- Become involved in WSPA
- Become familiar with WSPA Registry



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# Find Out More

<https://privacy.a4l.org>

Steve Smith

[ssmith@cpsd.us](mailto:ssmith@cpsd.us)

**METIS**