



# Student Data Privacy Contract Framework

2.24.17



# The Discussion

- ✓ Conversation Drivers
- ✓ Project Overview – The Why
- ✓ Leveraging Success
- ✓ SDPC Framework Expansion
- ✓ Operationalizing it All
- ✓ What is Next? Join In!



# Conversation Drivers

- Privacy and Security a Hot Button Item
- Transparency is Being Demanded By All
- LEAs & Vendors have limited Bandwidth/Expertise to deal with privacy concerns
- School App Ecosystems Expanding Exponentially
- Lots of Great Policy Resources Out There – But Not Much in the Way of Implementable Info



Student Data Privacy Consortium

# Project Overview



# Strategy to Address Needs

The Student Data Privacy Consortium (SDPC) was created to:

- Provide SEAs and LEAs with ACTIONABLE Privacy Effective Practices
- Leverage the Partnerships Required between LEAs, SEAs, AND Market Providers
- Formed Under the [Access 4 Learning Community](#) – a Community Already With All 3 Member Types

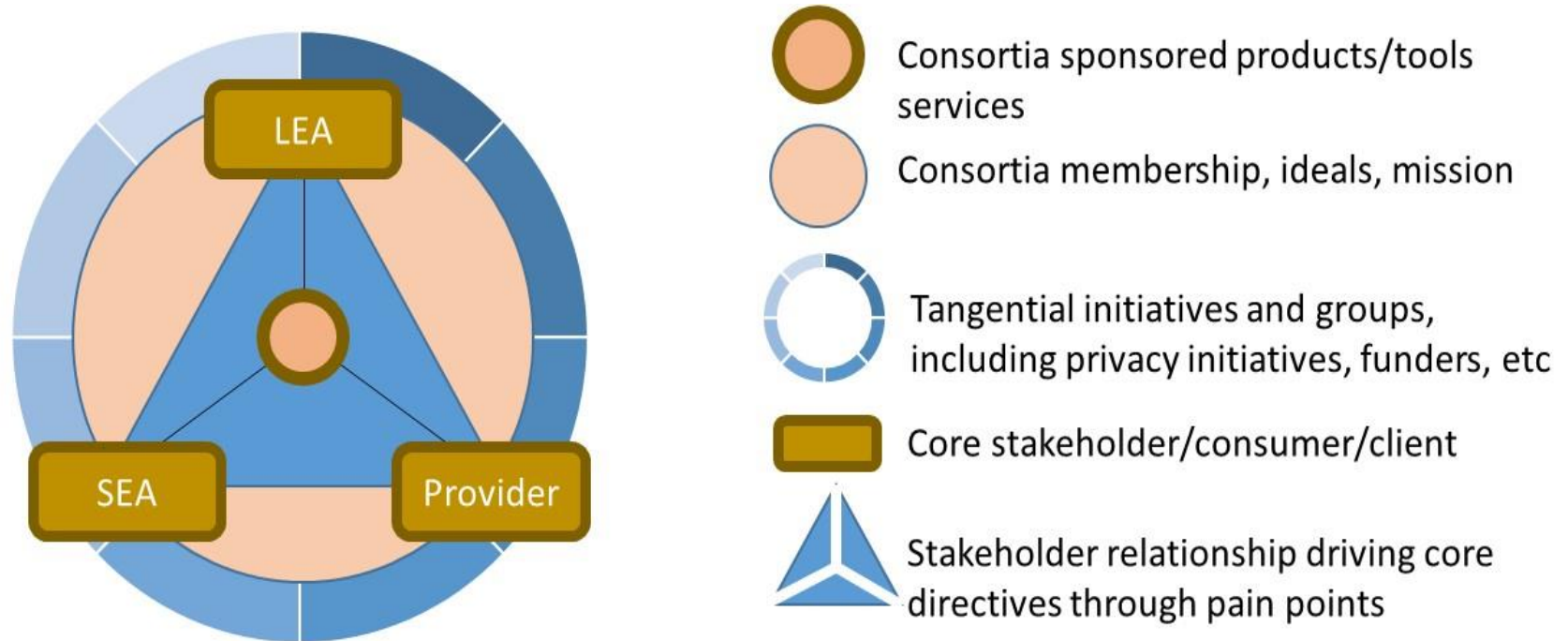


# Review & Research

- Conferences attended, privacy “pain points” survey designed and data collected, a core project team retreat was held and project focus and deliverables were established.
  - All resulted in identifying possible “action areas” within solutions, resources, benefits & outcomes
- A moderated dinner with LEA, SEA & Vendors confirmed:
  - The need for common contracts, language & terminology as core
  - Other benefits as secondary products
- An informal inventory taken on the various players and resources provided to end users – and gaps recognized

# “Big Picture” Strategy

- **Triangulated Community Model**



- **Core product = Standardized contracts based on jurisdiction (build upon MSPA model)**
- **Tangential initiatives = Common Sense Media, CoSN, DQC, FPF, PTAC**



Student Data Privacy Consortium

# Leveraging Success





# The CPS/MSPS Experience

## Cambridge Public Schools

- Characteristics
- Student Data Privacy Lens
- Processes
- Ongoing Issues
- Concerns / Pain Points
- Process (App Inventory)
- Vetting
- Capacity



# Massachusetts Student Privacy Alliance (MSPA)

- CPS model of vetting online apps & using standard contracts.
- Expanded standard student data contract initially to Boston
- Created MSPA by inviting all MA districts to join in using the same contract.
- Shared web site [mspa.cpsd.us](https://mspa.cpsd.us)
- Additional functionality for MSPA members (consortium members) – [public web site](#).
- Replicating across jurisdictions



# MSPA Demonstration

Project

<https://secure2.cpsd.us/mspa/index.php>

[https://secure2.cpsd.us/mspa/district\\_profile.php?districtID=457](https://secure2.cpsd.us/mspa/district_profile.php?districtID=457)



Student Data Privacy Consortium

# SDPC Framework Expansion



# The Contract Framework

- First SDPC Identified “Low Hanging Pain Point”
- LEAs, SEAs and Vendors Expend Time on Contract Development, Management, etc.
- Starting Point for All Contracts Should Be US Dept. of Education’s PTAC FERPA Provisions:
  - Data Definition
  - Marketing & Advertising
  - Data Collection
  - Data Mining
  - Data Transfer/Destruction
  - Data De-Identification
  - Terms of Service
  - Data Use
  - Data Sharing
  - Rights and Licenses



# The Contract Framework

- Looked Across Numerous States and Districts to Add Additional Provisions:
  - Access by District
  - Data Elements Provided
  - Data Breach
  - Mergers, Acquisitions, etc.
  - Data Location
  - Security Controls
  - Service Description
  - Access by Others
  - Data Integrity
  - Control of Records
- A Consolidated Wording Example Provided Looking Across All Sources – Localization and Flexibility Key



Student Data Privacy Consortium

# Operationalizing It All

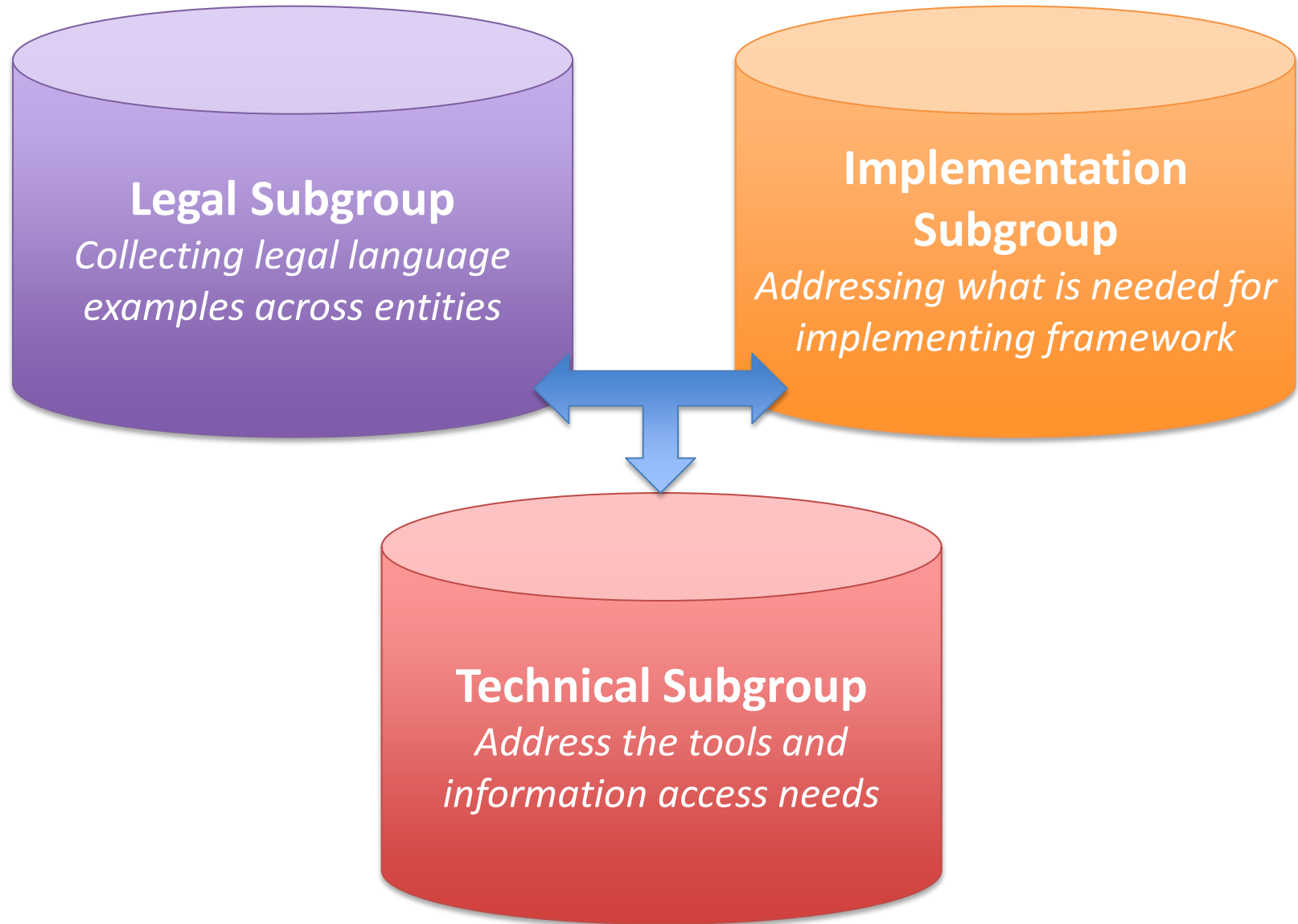


# Initial Expansion

- Virginia
  - Similar model to MA – LEA driven shared contract
- Wisconsin
  - SEA & LEA partnership to establish new Alliance
- Maine
  - New LEA model contract being developed by law firm
  - SEA working with AG's office for model State contract



# Division Of Labor





# Legal Work

- In the weeds of contract clause language
- Matrix of clauses across jurisdictions with associated laws
- Developing “Minimum Common Clause Set” (MCCS)
- NOT developing Common Contract but rather tools for jurisdictions to develop their own contracts from MCCS or samples from other jurisdictions.



# Implementation Work

- Developing the tactical resources SDPC members will need to utilize the tools – depending on their approach
- Contract drafting – how to align contract clauses, MCCS, internal vetting process, internal communications & templates
- Jurisdiction Alliance Creation – templates for messaging to potential partners, vendor communications templates & on line tool for managing all contracts, versions, tracking engagement activity, etc...



# Technical Work

- Replicating the MSPA functionality
  - <https://secure2.cpsd.us/a4l/>
- MSPA 2.0
  - Enhance functionality
    - Search across multiple jurisdictions
    - Enhance jurisdiction specific features
    - Contract clauses tied to needed controls
    - Ability for vendors to align products to contracts/clauses/controls
- Vendor/application profile



# Governance and Finances

## Governance Established

- 2 LEAs / 1 SEA / 3 Marketplace Providers

## Fiscal Support Established

Membership	Consortium	Consortium+A4L
Schools / Districts	\$500	+\$250
Regional Agencies / Local Authorities	\$1,250	+\$750
State / Territory Agencies	\$3,000	+1,500
Associations*	\$3,000	+\$2,000
Vendors - \$0-\$10 million revenue	\$5,000	+\$2,500
\$11-\$50 million rev	\$7,500	+\$4,000
\$51-\$250 million	\$10,000	+\$10,000
\$250-\$750 million	\$12,500	+\$18,000
Over \$750 million	\$15,000	+\$25,000



Student Data Privacy Consortium

**What is Next? Join In!**



# The Community

The Contract Framework is the First Identified Supported Projects Within the Community

We need you there:

- Give us your pain points
- Share with your peers and get recognized
- Access effective practices and tools
- Keep up to date with the various other privacy initiatives by numerous different organizations



# What's Next?

- Best Practices around Community Engagement
- Staff Education around privacy (perhaps curriculum)
- Transparency best practices
- Process improvement - app vetting & securing data
- Security Audits
- Privacy Audits
- Common Language and terminology
- Technical tools to assist vendors with ensuring data in apps meets contract requirements
- Data element 'wrapper' indicating sensitivity level of data
- Data Sharing with other agencies





# How to Be Part

- ✓ [Explore the Consortium Site](#)
- ✓ [Check Out the Group Site](#)
- ✓ [Become an Official Member of the Community](#)
- ✓ Join in on the Calls and Meetings

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

Larry Fruth     [lfruth@A4L.org](mailto:lfruth@A4L.org)