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
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

  - 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

- Core product = Standardized contracts based on jurisdiction (build upon MSPA model)

- Tangential initiatives = Common Sense Media, CoSN, DQC, FPF, PTAC
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
• CPS model of vetting online apps & using standard contacts.
• 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
• 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
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 - Data De-Identification
  – Marketing & Advertising - Terms of Service
  – Data Collection - Data Use
  – Data Mining - Data Sharing
  – Data Transfer/Destruction - 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

• A Consolidated Wording Example Provided

Looking Across All Sources – Localization and Flexibility Key
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 Subgroup
Collecting legal language examples across entities

Implementation Subgroup
Addressing what is needed for implementing framework

Technical Subgroup
Address the tools and information access needs
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 & online 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

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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

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