Student Data Privacy Update
SDPC Maturing
Agenda

Welcome and Intros
SDPC 101
Membership Updates
Project Teams
GEPS
MA Data Hub
Needs and Close

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

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
No One Gets It!

Everyone Gets It!

Its Not “One or the Other”!
Why An A4L/SDPC Community?

**Access to Tools**
- SIF Test Harness, SIF Certification Program, Privacy Registry, SDPC API, SDPC Digital Tools Governance

**Communications**
- Newsletters, monthly updates, quarterly SDPC updates, group updates

**Technical Advice & Support**
- Access to Staff & Community member expertise to resolve technical issues and development

**Collaboration**
- Participate in working groups and Special Interest Groups, creating valuable relationships with your peers

**Marketplace**
- Organization information promoted to the education sector via the Vendor Marketplace
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.
“Big Picture” Strategy

• Triangulated Community Model
• Core product = Standardized contracts based on jurisdiction (build upon MSPA model)
• Additional projects
Membership Updates

Membership Types (SDPC, A4L, Both):
Alliance Members
- Leads: All SDPC Resources/Info/Voting
- Schools/Districts: All SDPC Tools
School/District/State/Vendor – ALL SDPC Resources/Info/Voting
https://privacy.a4l.org/membership-privileges/
The Management Board leadership serves the SDPC leadership in various functions including:

**Meeting Delivery** (scheduling, note taking, document (physical and digital) generation, etc.)

**Finance and Outreach Support** (invoicing, marketing, finance reporting, outreach, etc.)

**Project Support** (management, maintenance, expansion, curating of the resources, tools, etc.)

**Elections Coming!**
Governance: Focused on By-Law Changes and Elections

Alliances: Top down, bottom up - but mostly middle driven
- Focused on NDPA Adoption and Increased Tools

Legal: Wrapped the NDPA – Next Researcher Agreements

Legislative: Wrapping NDPA Definitions
- Next Up “effective” Legislative Language

Vendor: Q and A with District Leaders
- Next Up “Freemium” Discussions

“Next”?: Quality Assurance Group
## National Data Privacy Agreement Clause Set

<table>
<thead>
<tr>
<th>Purpose of DPA</th>
<th>Nature of Services Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Data to Be Provided</td>
<td>Student Data Property of LEA</td>
</tr>
<tr>
<td>Parent Access</td>
<td>Separate Account</td>
</tr>
<tr>
<td>Third Party Request</td>
<td>Subprocessors</td>
</tr>
<tr>
<td>Privacy Compliance</td>
<td>Authorized Use</td>
</tr>
<tr>
<td>Employee Obligation</td>
<td>No Disclosure</td>
</tr>
<tr>
<td>Disposition of Data</td>
<td>Advertising Prohibition</td>
</tr>
<tr>
<td>Data Security</td>
<td>Passwords and Employee Access</td>
</tr>
<tr>
<td>Destruction of Data</td>
<td>Security Protocols</td>
</tr>
<tr>
<td>Employee Training</td>
<td>Security Technology</td>
</tr>
<tr>
<td>Security Coordinator</td>
<td>Subprocessors Bound</td>
</tr>
<tr>
<td>Periodic Risk Assessment</td>
<td>Data Breach</td>
</tr>
<tr>
<td>Privacy Compliance</td>
<td>Annual Notification of Rights</td>
</tr>
<tr>
<td>Reasonable Precautions</td>
<td>Unauthorized Access Notification</td>
</tr>
</tbody>
</table>

[https://privacy.a4l.org/national-dpa/](https://privacy.a4l.org/national-dpa/)
Legal Work: Feb 2019 to Present

- **2019 A4L/SDPC Meeting:**
  - Kick off if Legal Working Group
  - Goals of NDPA Summer 2019

- **18 Months of meetings:**
  - Districts, Alliances, SEAs & Vendors
  - Clause by clause discussions
  - Suggestions gathered
  - Security sub-group
  - Hit a wall Feb 2020 - then COVID
  - Completed via Alliance working group

- **April 2020:**
  - Alliance working group forms
  - Completed NDPA Draft 1 June 2020

- **Two Rounds of Community Comments:**
  - Approximately 200 Comments
  - Roughly 60% Accepted
  - Many duplicates

- **NDPA V1 Released July 2020:**
<table>
<thead>
<tr>
<th>NDPA Feature</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Format</td>
<td>Designed to provide everything the reader needs to know on page 2 (Cover Page too)</td>
</tr>
<tr>
<td>Section</td>
<td>Cover Page</td>
</tr>
<tr>
<td>Section</td>
<td>Page 2 - Options</td>
</tr>
<tr>
<td>Section</td>
<td>Page 3 - Signatories</td>
</tr>
<tr>
<td>Section</td>
<td>Standard Clauses</td>
</tr>
</tbody>
</table>
| 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  
|             | - F = Additional Terms or Modifications |
| Standard Clauses | Questions on specific Clauses? |
Global Education Privacy Standard (GEPS)

School / Department of Education (Data Controller)

Written Contract
Clause 1
Clause 2

Contract Obligations Pool

Control Benchmark Sets

SDPC Set
Set 2

NIST/ISO/IEEE
“Other” standards

You pick the technical security standard

Privacy Obligation Document (POD)
Obligation 1 XML
Obligation 2 XML

A machine-readable document for detailed obligations

Vendor (Data Processor)

Technical

The legalese from the DPA

The technical obligation from the legalese
Unity Enabling Privacy Expectations

Automate Contract Clause Expectations Exchange and Vendor Verification

The “POD” (Privacy Obligation Document)

Enabled in SIF 4.0 Infrastructure
MA Data Hub: Key Tenets

➢ Connected, Secure Ecosystem
➢ Standards Agnostic
➢ “Meet them where they are”
➢ Benefit LEAs, SEAs and Vendors
➢ Aligns Local, State and Federal Reporting Data
➢ Learner-Centric Model
MA Data Hub Service

ANY Standard

"PODS"
Increased interoperability without the inclusion of privacy requirements equals increased RISK.

BOTH data sharing and privacy parameters must be identified and communicated.

Learning institutions often do not have the human and/or fiscal resources to successfully address both parameters.

A4L and SDPC is the ONLY community collaboration that is addressing BOTH interoperability and privacy.

The A4L and SDPC Communities will help schools and marketplace providers establish “connected, secure and effective K12 ecosystems”
How Do WE Get There?

“Connecting and Securing The Effective K12 Ecosystem”

You MUST Address

- Application Vetting
- Contracting Process
- Application Management
- Integration
- Data Exchange
- Quality Control
- Professional Learning
The Result – Common Expectations!

Here is the data we will give you and details on how we want it treated.

End Users

Here is how we have treated the data and details on how we can prove it to you.

Providers

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