



DATE: Wednesday, December 1, 2021

TO: Hon. Robert Sanchez, Co-Chair
Hon. Douglas McCrory, Co-Chair
Hon. Kathleen McCarty, Ranking Member
Hon. Eric Berthel, Ranking Member
Distinguished Members of the Connecticut General Assembly Education Committee

FROM: Doug Casey, Commission for Educational Technology Executive Director

RE: 2020 – 2021 Findings on Public School IEP and 504 Exemption Use (PA 18-125)

On behalf of the Connecticut Commission for Educational Technology, I am happy to share this year's findings on data received from local education agencies regarding their use of the data privacy exemption for students with individualized education plans (IEPs) or 504 plans. Details of the exemption as well as district reporting requirements appear in Section 6 of [PA 18-125](#).

As we review the use of educational software, it remains vital that we consider the context of learning modalities over the past two years. Last school year (fall 2019 to spring 2020) saw the adoption of educational technology at historic levels, given the dependence on digital tools to support remote learning. During that time, the Commission saw a near doubling of the number of products from providers that have pledged compliance with Connecticut's student data privacy law, based on data from the Commission's Educational Software Hub (see details in the [2020 Commission Annual Report](#)). Learning went online during the pandemic, leading to an estimated 40% increase in educational software use, according to various studies. This past school year, LEAs shifted to in-person learning but continued to use educational software that they had adopted during the pandemic.

Based on the reports we received, reviewed, and posted to the [Connecticut Open Data Portal](#), we have the following observations to share, considering trends over the past three years of mandated reporting:

- Reporting Levels: A significant number of LEAs do not submit their report. In terms of percentages, [43% submitted a report](#) this past year, down slightly from 49% the previous year but the same as the first year of reporting, also 43%. Despite outreach through the State Department of Education and partner organization such as CONNCASE and CAPSS, the district reporting rate remains low.
- Small Percent of Districts Using the Exemption: Of districts that reported, the percent indicating that they use the exemption has decreased when compared with past years, with 11% in 20 – 21, 14% in 19 – 20, and 23% in 18 – 19. The decreased use of the exemption may have resulted from the increased number of products that comply with state statute.
- Low Number of Apps Used Under the Exemption per District: Each year has seen a "long tail" of apps used under the exemption. Of districts that [used the exemption this past year](#), 62% did so for just one software title, consistent with the 19 – 20 school year (67% of districts) and the 18 – 19 school year (54% of districts). This past year, only two districts used the exemption for more than four (4) software titles.



- Total Software Titles Used: Across districts reporting the use of apps under the exemption, totals have fluctuated somewhat year over year. [This past year](#), 33 titles were used under the exemption, nearly double the number used in 19 – 20 but significantly lower than the 83 used in 18 – 19. Analyzing exemption use by title, we see that trends remain consistent in that most apps have only a district or two using them under the exemption. In each of the three reporting years, 88% of apps used under the exemption were used by only one district (note: not the same district, just a single count of one district).

The full list of reports and source data follows:

- [2020 – 21 CT Public School IEP-504 Exemption Use](#) (Data Set): List of all Connecticut local education agencies, with one value per district indicating if the district (A) used the exemption, (B) did not use the exemption, or (C) did not even submit the required report on exemption use to the Commission. This data set has the following related visualization:
 - [2020 – 21 District Use of Exemption](#)
- [2020 – 21 IEP-504 Value](#) (Data Set): One value per exemption use (one or more per district), with the following details as required by PA 18-125:
 - District Name
 - Software Title
 - Operator (Vendor) Name
 - Product Web Address (URL)
 - Whether the district provided the following assurances:
 - Product terms comply with FERPA
 - District attempted to execute a contract with terms compliant with Connecticut statute
 - District sought an equivalent, compliant software solution
 - Product otherwise complies with other aspects of Connecticut statute, specifically [§ 10-234cc](#)
 - District obtained parent or guardian signature acknowledging software use

The above exemption data set has the following related visualizations:

- [2020 – 21 Exemptions by District](#)
- [2020 – 21 Exemptions by Software Title](#)

I would be happy to discuss the above findings and source data and welcome any questions or comments you may have.

Regards,

A handwritten signature in black ink that reads "Douglas Casey". The signature is written in a cursive style with a large, sweeping "D" and "C".

Douglas Casey