

Data & Privacy Advisory Council
Meeting Minutes
November 21, 2016

Attendees

- Doug Casey — CET
- Brian Czapla — Glastonbury Public Schools
- Jason Pufahl — University of Connecticut
- Bethany Silver — Bloomfield Public Schools
- Michael Swaine — Gaggle

Agenda

- Protecting Student Data Privacy Act (PA 16-189)
 - Statewide Contracting
 - Legislative Changes
 - District Resources
- Self-Modernization of CIPA
- CEN Service Offerings
 - Value of Current Offerings (Attached)
 - Promise of Potential Future Offerings
 - Advanced Content Monitoring and Notifications
 - Data Privacy Compliance
 - Educational Software Purchasing, Licensing, and Hosting
 - Eduroam (Authentication)
 - eRate Support
 - Managed Security (e.g., Monitoring, Forensics, CISO Services)
 - Single Sign-On (SSO)
 - Others
- Gathering and Assessing Input
- Cost Models and Next Steps

Meeting Notes

NOTE: The points below represent an assimilation of ideas rather than a verbatim or chronological record of points shared.

Student Data Privacy Act (PA 16-189)

- **Statewide Contracting:** For the past several months, the Commission has been exploring ways of executing contracts with educational technology providers that any district could adopt. These contracts would include language that complies with the provisions of the new data privacy act. This work would relieve some of the burden from, and redundancies among, school districts in negotiating terms themselves (i.e., 169 school districts). Brian Czapla highlighted this inefficiency in pointing to the duplication of efforts in dozens of districts vetting the same software against the same requirements.

The Department of Administrative Services (DAS) procurement team has proven instrumental in moving this effort forward. On Tuesday, November 22, Doug convened a meeting with the DAS procurement team and a group of superintendents at the Connecticut Association of Public School Superintendents (CAPSS) to explore ways of executing statewide agreements with ed tech operators. While Rachel Whitesell of DAS continued to offer support of the initiative, she pointed to the need for an organization to act as a signatory and ongoing steward of each agreement. Jeff Kitching suggested the Alliance of Regional Education Service Centers (RESC Alliance) could fulfill this role. A meeting with the RESC directors resulted in general support for the initiative, with a forthcoming meeting among RESC purchasing staff, DAS, and Doug to flesh out details and contract priorities. That meeting has yet to be scheduled, awaiting designation of representatives from each of the six RESCs.

- **Legislative Updates:** Doug shared that he is meeting with Representatives Fleischmann and Lavielle of the Education Committee as well as Representative Sredzinski along with Jack Zarmy of Monroe and Matt Salvestrini of New Canaan. The intent is to convey to the CGA members the impact that the new law has had on districts as they work to comply with its provisions. Brian Czapla requested that Doug reflect the collective concerns of the educational community, that the concerns of Mr. Zarmy and Salvestrini stem from broad direct and indirect financial costs of complying with the new law. Brian's express concerns include the following:
 - Change in legislation exempting companies that only collect directory information as defined by FERPA
 - Change in language allowing for online service level agreements / privacy policies that meet the state standards instead "signed contracts."
 - How does the FERPA "school official" designation impact this (since federal law superseded state).

Other concerns expressed by educational technology leaders statewide appear in the document available for review and editing at <http://bit.ly/189Recs>. Michael Swaine, offering the perspective of an operator (Gaggle) indicated that most companies would (should) be happy to comply with the new measures, which he saw as reasonable. Bethany Silver expressed concern that the efforts going into compliance represented a serious indirect cost (staff time, opportunity cost of not pursuing other initiatives, etc.) as well as direct cost (e.g., legal fees) to districts. She probed the question of how the law supported the core mission of schools, which is to improve student learning outcomes.

- District Resources: Several fee-based products and services hold promise to support district needs in complying with Public Act 16-189. Among these Education Framework, introduced by Advisory Council member Scott Matchett, provides a searchable database of educational software with “scorecards” measuring compliance of terms against PA 16-189. Doug has negotiated aggressive statewide pricing with Education Framework, far below the \$6 per student per year price.

Other approaches, such as one from Michael Swaine to enlist University of Connecticut law students or others from the University to manually vet agreements, emerged. The group agreed that Education Framework looked promising but would need aggressive pricing to see widespread adoption among districts, which have not budgeted for the additional expense of such a purchase.

CEN Service Offerings

The members reviewed the list of currently offered core and optional services provided by the Connecticut Education Network (CEN), as well as a list of possible new services the network could offer. Doug requested input from the group to assess the likely value of current and possible new services to the K – 12 school, library, research, and private-sector customers that the network supports. New services could include the following:

- Advanced Content Monitoring and Notifications
- Data Privacy Compliance
- Educational Software Purchasing, Licensing, and Hosting
- Eduroam (Authentication)
- eRate Support
- Managed Security (e.g., Monitoring, Forensics, CISO Services)
- Single Sign-On (SSO)

Doug shared as an example the list of services that another research and education network, MOREnet, offers (see <https://more.net/services/categories>).

In the area of information security, Jason Pufahl noted that he had designed and shared with members of the higher education community a managed security offering several years ago. Nine of the members of the group he leads, the Connecticut Higher Education Roundtable on Information Security (CHERIS), indicated that they would have interest in the shared service if and when it was offered. In this model, the University of Connecticut would serve as the lead, providing incident response, forensics, governance, and other services to subscribing members. Brian Czapla expressed interest in this type of consultative model for K – 12 schools, addressing an area he saw as a weakness in most districts. He saw a need for uniform, high-quality security training and support in incident response, for example.

Doug asked if it would make sense to take the list of possible new services, and those the network currently offers, to a broader audience through a survey instrument. All agreed that this would make sense, and Brian Czapla noted that perhaps some of the lack of interest in current services stemmed from a lack of awareness that CEN had offerings such as managed WiFi and managed firewall. Such a survey might help raise awareness.

Self-Modernization of CIPA

Michael Swaine raised this topic with the group, pointing to the aging law that obliges school districts to provide filtering of content defined as obscene or harmful to children. He expressed concern that the law addresses ways to protect students on school-issued networks and devices but does not go far enough to define best practices in digital literacy. Students communicate across multiple channels, from fixed computers to mobile devices, and schools should assess how well they instruct students on appropriate use of technology. He suggested the creation of recommendations for schools around best practices, addressing issues such as digital literacy and the procurement of technology.

Brian Czapla noted that there are valuable digital literacy resources available free of charge from Common Sense Media. Other resources include the MacArthur Foundation, the federal Privacy Technology Assistance Center, and iKeepSafe.org, among others.

Michael agreed to draft a list of recommendations and resources to share with the group. We will look to develop and share these with the broader educational community.