Data and Privacy Advisory Council
Meeting Minutes
May 10, 2017

Attendees
1. Doug Casey — Commission for Educational Technology
2. Brian Czapla — Glastonbury Public Schools
3. Ben FranzziniKendrick — Shipman & Goodwin
4. Jeff Kitching — EdAdvance
5. Brian Kelly — Quinnipiac University
6. Michael Swaine — Gaggle

Agenda

1. Welcome and Introductions

2. Framework for Privacy and Security

3. Student Data Privacy Updates

4. Educational Data Needs

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

Welcome and Introductions
The meeting convened at 2:00 PM with a welcome by Doug Casey of the Commission. The members introduced themselves and welcomed Ben FrazziniKendrick, who serves as an associate in the School Law Practice Group with Shipman & Goodwin. Ben has worked closely with school districts across the state to support compliance and best practices around student data privacy. He also lends an educator's perspective to these issues, given his experience as a public school teacher.

Framework for Privacy and Security
While the passage of Public Act 16-189 last year has led school districts to review the data terms of software they use to support teaching and learning, Doug suggested that perhaps schools would appreciate having more guidance from the Commission around general privacy and security best practices. He introduced the Trusted Learning Environment (TLE) program from the Consortium for School Networking (CoSN), a framework that districts can use to develop, measure, and follow best practices in

privacy and security. The group briefly reviewed the TLE framework at www.TrustedLearning.org and its approach to district leadership, contract management, security, and training. The group discussed this and other models for security, including the SANS framework, which Brian Kelly cited for higher education.

Doug shard an opportunity to engage with districts across the state to assess readiness and compliance, with CoSN offering volume discounts on the TLE assessment and credentialing process. Engaging in the TLE assessment and certification process provides districts with peer review of their current practices and connects them to a national professional network for ongoing support.

Members of the Advisory Council acknowledged the value of a framework such as TLE, especially for districts that may not have a mature privacy and security program. However, Brian Czapla expressed concern about the credential, in that it might represent another accountability measure that districts would feel compelled to earn, regardless of how well they follow best practices. Jeff Kitching saw value in the TLE components but echoed Brian's concerns. Having a credential also represents a level of compliance and operational maturity at a point in time rather than an assurance of ongoing adoption of best practices. Other concerns included the indirect cost of engaging in the assessment. CoSN charges just $200 to score a district assessment, but completing the instrument would likely consume a significant amount of leadership time.

The members agreed that encouraging best practices should remain a priority of the Commission. Referring districts to the TLE program would offer value, especially for leaders looking for a baseline assessment and a security and privacy maturity model. Doug agreed to share the program with a wider audience of district leaders and to explore cost savings for volume enrollments with CoSN's lead on the initiative, Linnette Attai.

Student Data Privacy Updates

Doug shared details of House Bill 7207, which would delay the effective date of Connecticut's student data privacy law to July 1, 2018 and extends the district breach notification from 48 hours to two (2) business days. On Tuesday, May 9, the House overwhelmingly (144 to 4) passed the bill, which moves on to the Senate.

On a related note, the Commission has begun development of a software registry designed to support compliance for the thousands of apps and titles that schools wish to use for instructional, operational, and other educational purposes. Doug underscored that the intent is to develop a self-service platform to shift the onus of compliance away from districts and onto the software providers. He shared an overview of the platform used for the Registry, Learn Trials. In addition to supporting software review and compliance, the platform also enables district leaders to track and share other types of information about the software they use, such as efficacy, cost, and student usage. Benefits to districts include having access to competitive pricing, peer review of software, and collective purchasing influence. Doug acknowledged Jeff

Kitching and the RESC Alliance's support in securing the Learn Trials platform for the coming year.

The Advisory Council members agreed that the new privacy registry should help reduce the indirect costs of compliance for Connecticut schools and offered their support for the initiative. With regard to the posting of product pricing information, several members agreed that the use of Learn Trials should lead to greater transparency and cost savings. Doug shared the general timeline for the design and launch of the site, sometime in early to mid-summer 2017. A governance committee comprised of members of the Data and Privacy Advisory Council, educational technology companies, and K – 12 technology leaders will provide input on the business rules and workflow of the registry.

As mentioned in previous meetings, the Commission is working with the Department of Administrative Services (DAS) procurement team to vet the terms of specific software titles that many districts use in Connecticut. This "short list" of software comes from a statewide poll of district technology leaders as a means of prioritizing work through this initiative. Through the leadership of attorney Rachel Whitesell, several educational software companies have aligned their privacy and data terms to comply with Connecticut law. Doug mentioned that the Commission's Programs & Services Web page would provide a list of approved software, with new titles as companies comply with our state's requirements. [NOTE: This page went live on Tuesday, May 16.]

Educational Data Needs

As the final topic of the meeting, Doug mentioned that the work of this Advisory Council has concentrated on student data privacy in the K – 12 space but has not addressed the effective use of data to measure and inform teaching and learning. He asked the group to weigh in on unmet opportunities around data collection, analysis, and reporting, broadly defined. For example, many districts struggle with the lack of interoperability of data among systems.

Brian Czapla pointed to the trend of PowerSchool, the student information system (SIS), of acquiring and integrating other products into its SIS. Recent examples include InfoSnap for class registration and TIENET for special education tracking and reporting. Companies such as PowerSchool have addressed the challenges of interoperability but at the cost of purchasing more and more products from the same company.

The group addressed needs of districts around analytics, providing teachers and leaders with the ability to review and act upon student and operational data. Jeff mentioned the success that some districts have had with Livebook, a product offered through EdAdvance. Doug also pointed to the long-term plan of the State Department of Education's longitudinal data system, EdSight, to provide schools the ability to upload additional student data (e.g., formative assessment results) to existing records. Other options that districts have piloted and adopted include IBM Watson for predictive analysis (e.g., identifying previously unknown variables influencing student

achievement). At a classroom level, many teachers use tools such as ClassDojo for behavior tracking and management.

The group concluded the discussion by acknowledging that there is no clear, single need for schools, libraries, and universities around data-management and reporting. The Data and Privacy Advisory Council members and broader Commission would continue to look for ways to assist these communities and connect them to available resources such as EdSight and the Connecticut Open Data initiative.

Doug thanked the group for their time and expertise and adjourned the meeting shortly before 4:00 PM.