

From: Future of Privacy Forum (FPF)
To: FPF's Higher Education Working Group
Date: January 3, 2017
Re: End of Year Recap of Higher Education Working Group

Dear Higher Education Working Group,

Happy New Year! Thank you so much for being part of FPF's working group in 2016. We had an excellent and busy year, and we look forward to continuing to work with you this year!

With your support, FPF:

- Launched our independent Higher Education Working Group biweekly call;
- Provided written comments to four state legislatures on their student privacy legislation and met with Congressional staff on student privacy bill drafts;
- Hosted a half-day training on higher education privacy for the [PostSecondary Data Collaborative](#);
- Held 18 Higher Education Working Group meetings;
- Spoke at or hosted sixteen student privacy events;
- Submitted [comments](#) to the Commission for Evidence-Based Policymaking in response to their request for comments on the question "Based on identified best practices and existing examples, what factors should be considered in reasonably ensuring the security and privacy of administrative and survey data?";
- Released [19 Times Data Analysis Empowered Students and Schools](#) and [Seven Basic Security Checks for Evaluating Educational Platforms](#); and
- Served as an active public voice on the benefits of education data and technology.

Below (and attached) is an overview of our 2016 work in the realm of Higher Education. We look forward to working with you in the year ahead!

Thanks,

Amelia

Contents

Higher Education Ongoing Projects	1
Higher Education Written Publications	2
Higher Education Media & Speaking Engagements	2
Higher Education Working Group Calls	3

Higher Education Ongoing Projects

We are excited to continue collaborating with you. As many will know, we remain adaptable and often respond to timely issues as they arise – nonetheless, the following are some of the major projects and policy priorities for the K-12 Education Working Group as we head into 2017:

- **Tracking and Analyzing State and Federal Student Privacy Bills** – FPF will be keeping track of student privacy legislation at both the federal and state level, and provide analysis on key new legislation. Have you heard about a new bill you have questions about? Email us for our take. We will also provide updates on legislation as part of our working group calls.
- **Expanding Our Higher Education Work** – FPF will be expanding our higher education work in 2017. We plan to put together several short resources on best practices in this area, and will also be working on longer white papers on topics such as algorithmic discrimination, analytics, and

what state laws currently pertain to higher education privacy. We will also continue providing privacy support to higher education organizations and institutions.

- **FERPA|Sherpa** – FPF will be re-vamping the FERPA|Sherpa website in 2017 to make it easier to find content and create a clearinghouse of student privacy resources. We will also be adding a higher education tab to the site. Do you have content that you think should be on FERPA|Sherpa? Email us so we can share it.
- **Bootcamps** – FPF plans to hold more student privacy bootcamps in 2017, including not only our K-12 vendor bootcamp, but also a higher ed bootcamp and a bootcamp in April for state and district privacy officers. We are currently looking for locations and sponsorship to support these bootcamps, so please contact us if you have ideas or would like to be involved!
- **Expanding Our National Voice** – FPF staff will continue to speak at events around the country. Amelia Vance is already scheduled to be a panelist at SXSWedu and IAPP's Global Privacy Summit. Interested in having FPF staff at your event or conference? Email us and we will try to make it work!

We are always looking for new ideas and input from the field on what new resources would be helpful, so please email me at avance@fpf.org with any thoughts!

Higher Education Written Publications

- On March 22, FPF released [19 Times Data Analysis Empowered Students and Schools](#), a paper by Elana Zeide. This paper identifies 19 studies – a relatively small sample – where education data was successfully used to evaluate a program, create a new strategy, or delve into equity and bias issues.
- On May 16, FPF published a [blog](#) about the **privacy implications of the new federal government guidance on transgender students rights**.
- On November 7, FPF also released the [Seven Basic Security Checks for Evaluating Educational Platforms](#) for parents and schools to consider the “basics” of security standards on new ed tech products and services they may be considering or using.

Higher Education Media & Speaking Engagements

Media:

- [Should Colleges Report When They Get Government Data Requests?](#) – NBC News, May 9, 2016 (quoting Brenda Leong).
- [Classroom Analytics Can Have Big Impact on Educational Outcomes](#) – EdTech Magazine, Sep. 7, 2016 (coverage of student privacy bootcamps for vendors).
- [The Colleges Are Watching](#) – The Atlantic, Nov. 1, 2016 (quoting Brenda Leong).
- [Student data protection advocate moves to Future of Privacy Forum](#) – EdScoop, Nov. 7, 2016 (coverage of Amelia Vance moving to FPF).

Speaking Engagements and FPF-Hosted Events:

- On May 10, FPF co-sponsored the fifth annual [Higher Education Privacy Conference](#) at George Washington University in Washington, DC. Jules Polonetsky also spoke at the event on a panel. FPF wrote a summary of the event [here](#).
- On August 4, FPF conducted a half-day training for the PostSecondary Data Collaborative on “Higher Ed Student Privacy.”
- On September 16, Brenda Leong spoke at Education Writers Association's [Higher Ed 2016](#). Brenda's [panel](#) was “Analyze This: Using Data to Improve Student Success,” and covered the ethics, possible gains, and past pitfalls of predictive analytics.
- On December 16, Amelia Vance spoke with DQC's Rachel Anderson at the IES Principal Investigator's meeting on “Making Data Work for Students: Strategies for Education Research and Data Privacy.”

Higher Education Working Group Calls

Below is a recap of our working group calls in 2016. Have ideas for 2017 working group topics? Email Amelia Vance at avance@tpf.org.

January 15

- Jamey Rorison and Amanda Janice from Institute for Higher Education Policy (IHEP) presented on IHEP's Postsecondary Data Collaborative (PostsecData), an initiative aimed at conducting, compiling, and disseminating research on the field's postsecondary data efforts, establishing and engaging a community of experts working on postsecondary data issues, and organizing the community to advocate with a common voice to policymakers to improve data collection and use on our nation's students. They also discussed a forthcoming report detailing the technical specifications of a new Metrics Framework and a forthcoming paper series exploring approaches to improving the national postsecondary data infrastructure. One of these papers in the series focused explicitly on data privacy and security.

January 29

- Professor Dennis Hirsch presented the Uniform Law Commission Committee's draft model statute to restrict employers and educational institutions from requiring employees and students to provide their login information for their online accounts.

February 12

- Professor Andrew Reamer from George Washington University Institute of Public Policy discussed the recent partnership between the University of Texas and the United States Census Bureau to leverage Census data to track post-graduate employment outcomes.

March 11

- James Wiley of Eduventures provided his insight on the future of student privacy in Higher Education and the potential issues associated with data analytics.

March 25

- James Wiley of Eduvenduress discussed the applicability of federal student privacy laws to higher ed vendors. James also discussed the potential impact of schools using social listening tools to inform their admissions decisions.

April 8

- Eden Dahlstrom, Chief Research Officer of Educause, discussed her report, "The Analytics Landscape in Higher Education," and how schools are using predictive analytics to inform institutional decisions and improve student performance.

April 22

- Kent Wada, Chief Privacy Officer for UCLA provided his thoughts on higher education privacy from his perspective as a University CPO.

May 13

- In our first independent higher education call, Joanna Grama from Educause introduced her higher education privacy paper, which was a part of a larger series of papers commissioned by the Institute for Higher Education Policy. Joanna discussed the current privacy and security infrastructure that exists in higher education, the privacy concerns that are germane to higher education, and how we can address those issues.
- Amy Laitinen of New America discussed an important report produce by the American Council on Education and a Senate task force that suggests the cost of education may be going up due to data reporting requirements.

May 27

- Ellen Wagner, VP of Research at Hobson provided the group with examples of colleges and universities using data analytics to improve academic outcomes. A potential issue for colleges and universities improving their data infrastructure is the lack of perceived benefits from data

collection. Ellen's conversation helped make the case for how data analytics can benefit students and lead to better academic performance.

- Tom Allison of Young Invincibles discussed a recent survey of college students that asked them how they felt about their privacy rights.

June 10

- James Wiley of Eduventures led a discussion about the differences between higher education and K-12 student data privacy.
- Tom Allison of Young Invincibles discussed a recent survey of college students that asked them how they felt about their privacy rights.

June 24

- Elana Zeide discussed the Asilomar Principles, a list of six principles to inform the collection, storage, distribution and analysis of data derived from human engagement with learning resources in post-secondary education.
- FPF staff led a group discussion about the areas that require our attention in developing best practices and student privacy standards (such as contracting with colleges and universities).

July 8

- James Wiley of Eduventures discussed a report by the White House on big data and privacy to help frame our group discussion about collecting and using data in the higher ed space.

July 22

- Kent Wada, Chief Privacy Officer at UCLA, discussed the privacy and security challenges of creating an institutional database. Kent also discussed suggested best practices for data governance.

September 30

- Doug Shapiro and Linnette Attai presented on recent reports on topics of interest in the higher ed/data analytics realm.

October 28

- University of Michigan staff Sol Bermann (Privacy, IT Policy and Enterprise Continuity Strategist) and Mike Daniel (Director of Policy and Operations) presented on higher education analytics.

November 11

- Reg Leichthy of Foresight Law + Policy talked about the implications of the election on higher education privacy.
- Amelia Vance discussed previous statements by Trump and the Republicans regarding higher education privacy.
- Amanda Janice Robeson from IHEP presented on the PostSec Data Collaborative presidential transition memo.

November 28

- Michael Hawes from the U.S. Department of Education Privacy Technical Assistance Center (PTAC) presented on the forthcoming USED guidance on using student financial aid data for program evaluation and research.

December 9

- Jim Williamson (Director - Campus Educational Technology Systems & Administration for UCLA) and Jim Phillips (Director of Learning Technologies for UCSC) presented on the draft University of California Learning Data Privacy Principles and Recommended Practices.