Data Transfer in the Larger Education Ecosystem

Considerations for Privacy and Security of Student Information

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Webinar Logistics

- Phone lines will be muted during the content portion of the presentation.
- We will have time for questions after each section. Please use the chat window to type your question if you wish.
- The recording of this webinar will be made available on the Department's Student Privacy website: https://studentprivacy.ed.gov/

Agenda of this Presentation

- Introductions
- Background
- Broader Education examples with potential for blockchain solutions
- Beyond education
- Wrap-up
- Q&A

Introduction and Purpose

- Work so far from the Dept. on Blockchain.
- Purpose of todays webinar;

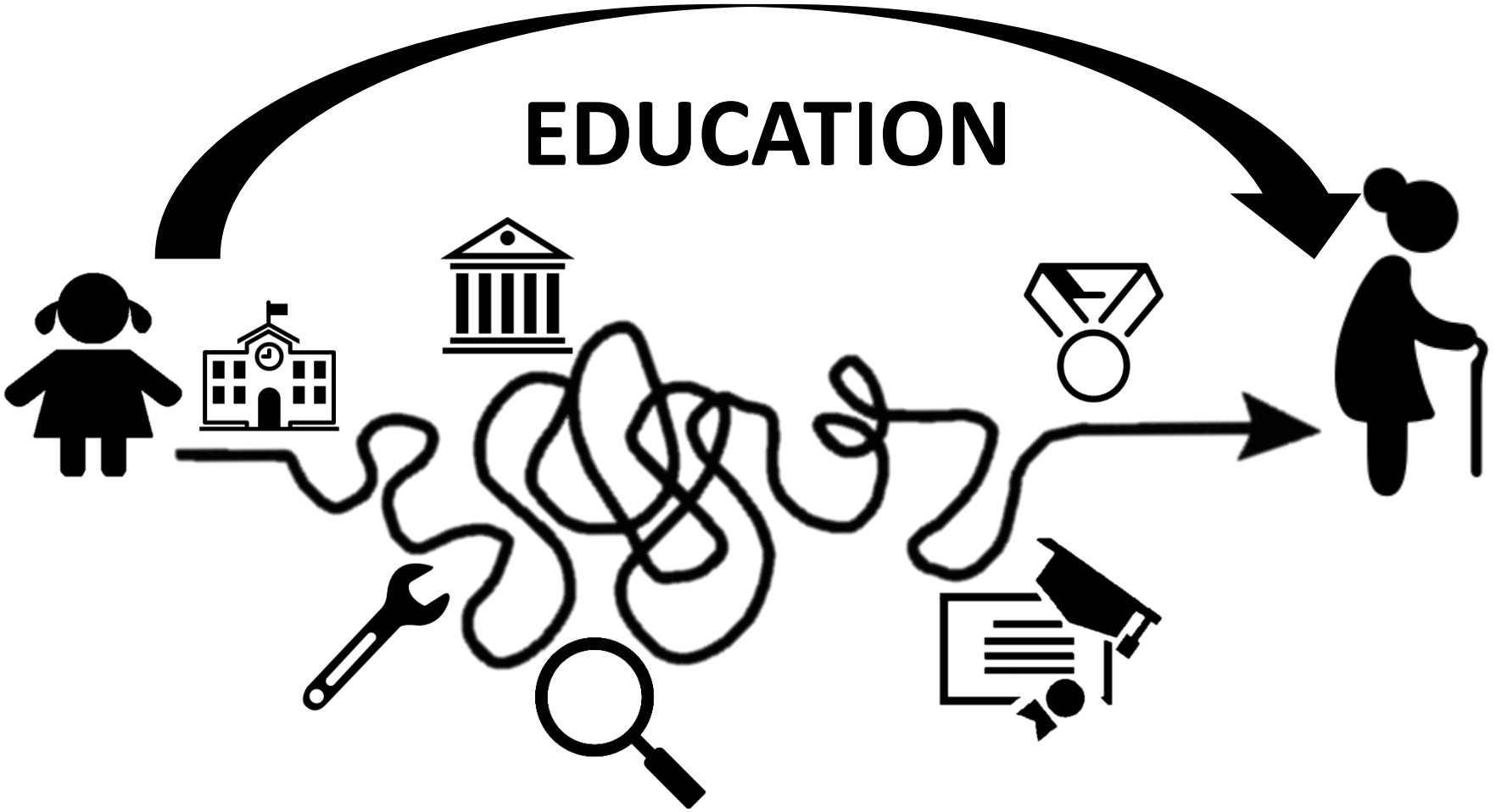
  With today's webinar we hope to expand the conversation around education data transfer and blockchain technologies. Join us for a conversation around the privacy implications to sharing data throughout a lifelong learner's journey.

Let's Broaden the Conversation

- What does your workforce/education data profile look like?
- Where does all of that data live?
- How to you manage and control that data?
- What protections regulate the use of that data?

Blockchain in Broader Education

Blockchain in Broader Education



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"Education" **is more than just school**

- Diplomas
- Degrees
- Credit hours
- Honors
- Certification
- Vocational programs
- Badges & credentials
- Continuing Education
- Experiences

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How do we enable students to turn this:

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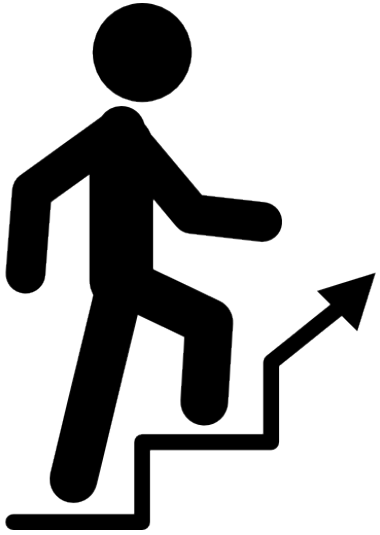
Into this:

- Data sharing can help schools work together to create opportunities
- Give students more agency over their education data
- Best practices for privacy & compliance
- Technology tools like blockchain can help to realize these goals within the K12 and Postsecondary worlds



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Access to data is great while the student is **IN** school, but its greatest value is once they are **OUT** of the traditional context of "school"

So how can we give learners a tool to Organize, Quantify, Qualify, and Assert their experiences when it matters?

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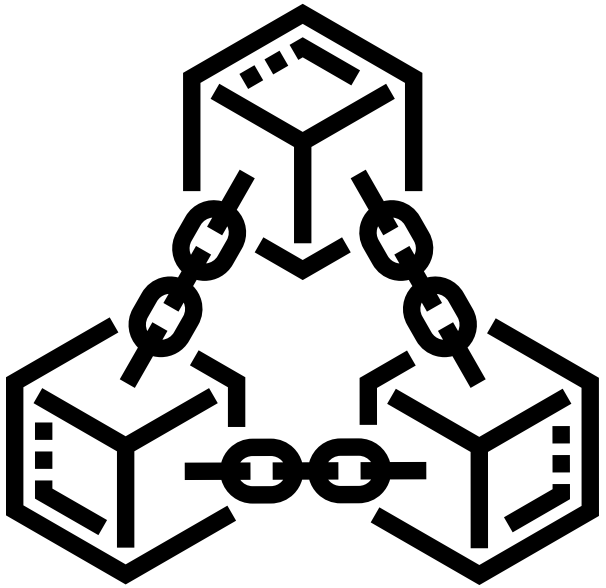
Can blockchain help here too?

- Adapt to a variety of data types
- Provide assurance of data integrity
- Increase transparency & security
- Create trust in data
- Work across platforms & systems



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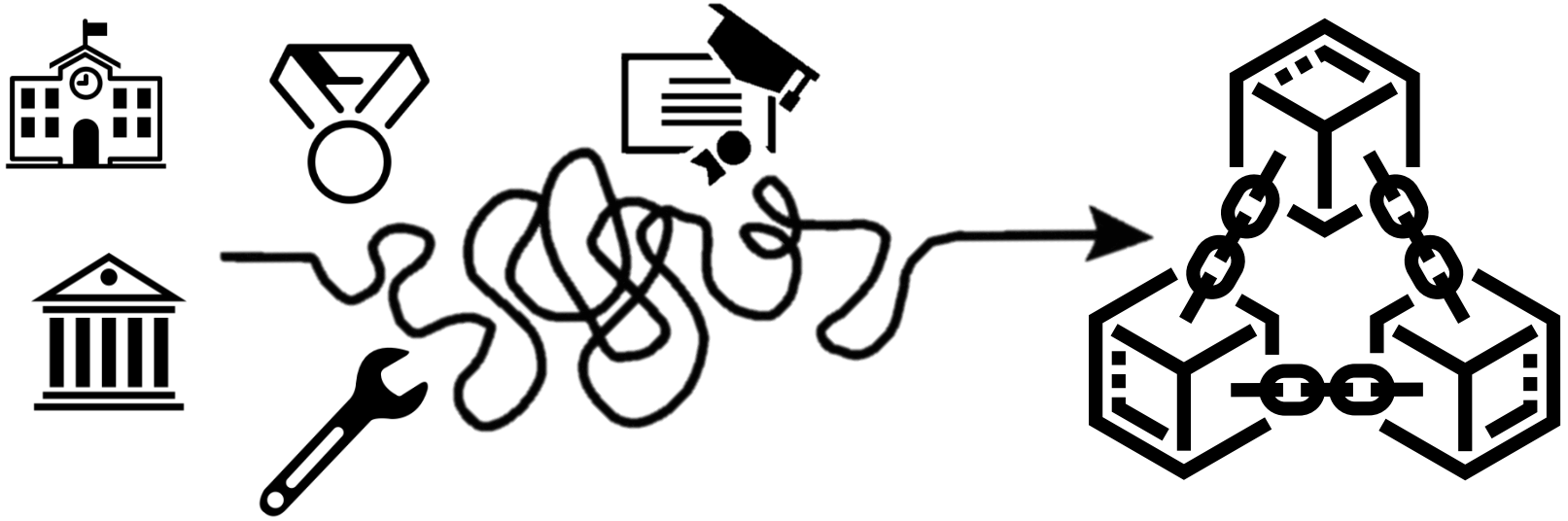
Let's build a fictional system to help identify some of the ways we might be able to implement a blockchain enabled system for lifelong learning



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- Our blockchain solution requires consent which is obtained through a mobile application
- Learners sign up for the service and download the app
- They then begin to import their records
- Their records might be stored in locally, in the cloud, or on services like IPFS
- Blockchain would enable trust that the data was not altered through techniques like hashing, digital signatures, etc.

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The student might be able to provide access to potential employers, certifiers, or other parties to individual records, credentials, and perhaps even individual data elements right from their phone, desktop, or though email, links or QR codes

Let's Discuss Ongoing Considerations

- How does a persistent, interoperable framework handle revocation of consent?
- Addressing a "right to be forgotten". Not currently requirement, but certainly a best practice and a key-tenant of self-sovereign identity.
- Practical limitations on implementation

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But what about FERPA?

- Once released to the student, the data is no longer protected by FERPA as long as it is not maintained by the school
- The student is free to leverage these data as they see fit

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But what about Degree Verification?

- Digital signature technology reduces the need to go back to the organization to validate the credential
- A school can issue a digital degree with a digital signature that validates the contents have not been changed
- Blockchain gives the student assurance, accountability, and control of their data
- Digital badges, professional certifications, etc. already do this.

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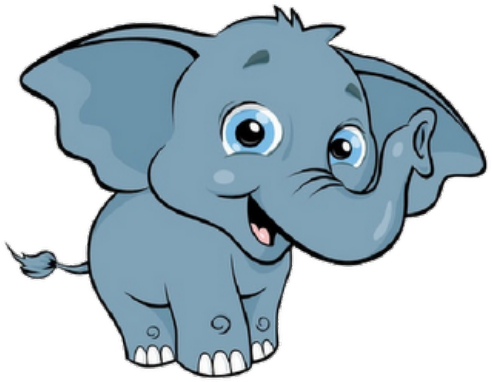
First Let's Address the FERPA Elephant in the Room



- The Family Educational Rights and Privacy Act (FERPA) is intended to allow parents and eligible students to exercise control over their education records as well as consent to disclosures of their Personally Identifiable Information (PII)

- Student records are generally considered to be records that are "directly related" to an individual student, and are "maintained by a school or postsecondary institution or a party acting on their behalf". This includes data on students that may contain direct or indirect identifiers.

- FERPA requires schools to obtain consent before disclosing data from a student's records unless an applicable exception applies

FERPA COPS

- Parents and eligible students have a **right** to consent to disclosures, but they do not own the records that schools maintain on them.
- Parents and eligible students may revoke consent at any time.
- Parents and eligible students have a right to file a complaint with the US Department of Education if they feel their rights under FERPA have been violated.

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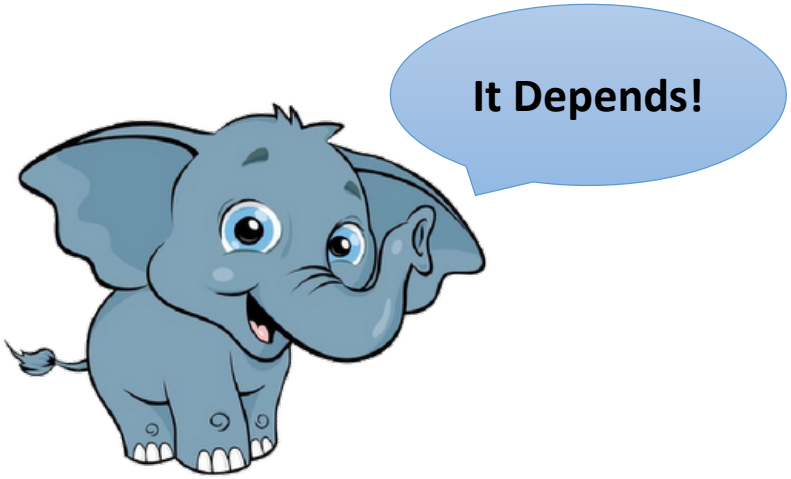

Remember that any blockchain implementation that utilizes data from educational agencies that receive Federal education funding *will* implicate FERPA.

Student consent will be required in these cases in order to facilitate data sharing on the blockchain system.

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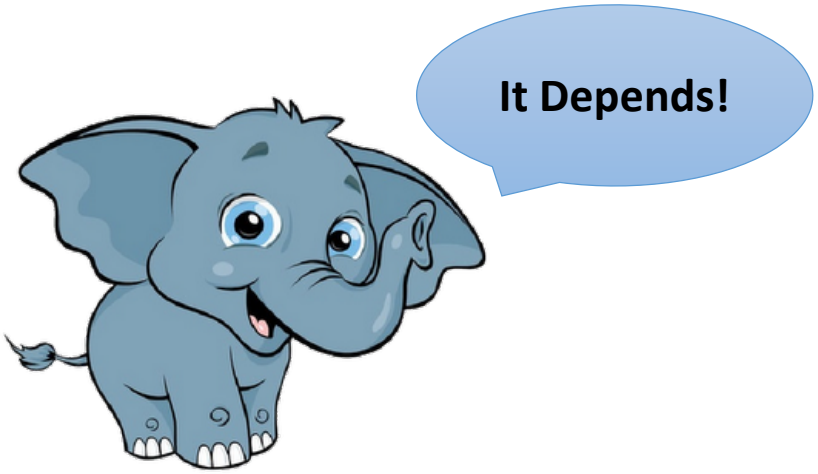

- FERPA permits electronic consent provided the signature "identifies and authenticates a particular person as the source of the electronic consent" and "indicates…approval of the information contained [within]" (34CFR §99.30 (d))

- Once data is released under consent, there are no take-backs... It's out there and FERPA no longer applies

No, there is no such thing as FERPA COPS

- Consent is nominally the best option for inclusion of education records on an interoperable record system.

- Providing easy and transparent ways for learners to consent to disclosure is paramount, and serves as a relatively seamless way to empower students.

What does your landscape look like?

- State privacy laws?
- But what does your legal landscape look like?
- What considerations are shaping your organizations approach to sharing student data in this now virtual world?

Questions?

Next in the PTAC/OET Webinar Series!

Topic: Panel discussion on Education Blockchain and Privacy

Date: July

Registration information coming soon!

CONTACT INFORMATION

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