

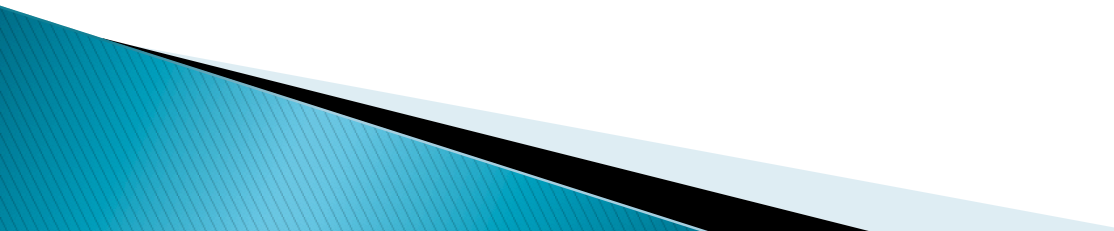
# Big Data in Education: Developing Policy for Ethical Implications in US and Canada

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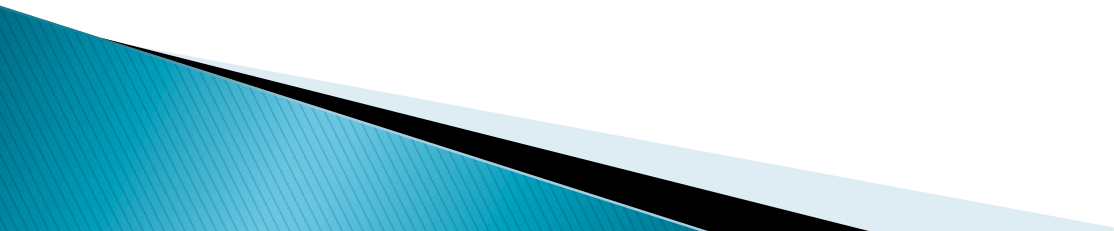
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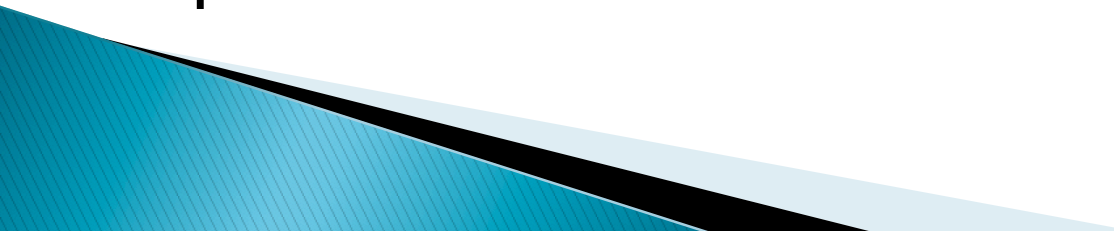
# Overview

- ▶ Goal – explore policy landscape for approval of BD educational tools – who making decisions – how framing ethical issues
  - ▶ Ethical Policy Concerns
  - ▶ InBloom
  - ▶ Policy Discussions in US & Canada at diff levels
  - ▶ Conclusions
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# Ethical Policy Concerns w/ Big Data

- ▶ Fair Information Practice Principles
  - ▶ Anonymity and “practical obscurity”
  - ▶ Surveillance and tracking
  - ▶ Autonomy
  - ▶ Due process – non-discrimination
  - ▶ Ownership of info about an individual
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# InBloom

- ▶ Non-profit corp, funding fr Gates and Carnegie
  - ▶ 9 states cloud computing services – data aggregator
  - ▶ 2013 – 12 parents filed lawsuit vs NY state & InBloom – intrusive data gathering, surveillance – suit dismissed
  - ▶ NY legis – restricted Dept of Ed fr undertaking contracts w/ 3<sup>rd</sup> party data aggregators
  - ▶ InBloom went bankrupt after other states pulled out
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# Policy Discussions

## ▶ Federal Level

- US – framed by existing statutes– FERPA, COPPA, PPRA
  - Dept of Ed reports re application – “it depends”
  - Role of feds – support and training
- Canada
  - Ed is exclusive resp of provincial govt
  - Privacy Act – public ed insts
  - PIPEDA – private sector incl ed tech companies
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# Policy Discussions

## ▶ State/Provincial

- US – lots of state legislative activity
  - 2014 – 110 bills in 36 states, 21 states passed 24 laws
  - 2015 – 182 bills in 46 states, 15 states passed 28 laws
  - Two overlapping approaches
    - Prohibitive
    - Governance
- Canada – less legislative activity
  - Privacy provisions in Education/School Acts and provincial FOIP Acts


# Policy Discussions

## ▶ School Districts and Schools

### ◦ US

- Wide variation
- DOE – best practice guidelines – inventory, process for approval, written contracts
- Teachers' use of “Click-Wrap” software and “free” online services

### ◦ Canada

- Also variation
  - Boards tend to have lots of autonomy, exercised through elected members – political
  - Teachers use what's available – gaps in training
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# Policy Discussions

- ▶ **Big Data Companies**
  - Booming sector, venture capital
  - Marketing to schools and teachers – privacy/ethics rarely highlighted
- ▶ **Nonprofits**
  - Advocates for ed tech – Data Quality Campaign, SSIA – pledges & certificates
  - Pro-privacy – EPIC, EFF, CDT, Parent Coalition, PTA
- ▶ **Unions**
  - US – UFT
  - Canada – Alberta Teachers' Assoc & Canadian Teachers' Federation



# Conclusions

- ▶ Current focus – security, deidentification, targeted ads, ownership, transparency
  - ▶ Discourse shaped by current legal framework & FIPPS
  - ▶ Profiling & discrimination not major issues
  - ▶ Real policy activity at school districts and school level
  - ▶ Crowded policy field – ed tech companies well-funded & well-positioned – Priv grps, parents, & unions can shape common message
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