



# Teaching Students About Privacy Rights in the Information Economy

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## Introduction

Good morning and thank you for the invitation to be here.

This curriculum review is very timely for the work my office does and is an exciting opportunity for the future of Alberta.

I am pleased to provide my office's perspective and to share with you some resources to consider as you continue your important work.

I also want to provide an invitation to you. My office's door is always open to provide feedback and to help you beyond today's presentation.

## The Information Economy

Earlier this week, The Economist had a compelling feature article titled, "The world's most valuable resource is no longer oil, but data".<sup>1</sup>

The focus was on potential regulation of the data economy, which is led by the world's five most valuable companies: Alphabet (Google's parent company), Amazon, Apple, Facebook and Microsoft.

The ingenuity and services these companies offer is truly astonishing and in many cases convenient, but the development of this industry has far outpaced regulation.

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<sup>1</sup> "The world's most valuable resource is no longer oil, but data", *The Economist*, May 6, 2017, retrieved from <http://www.economist.com/news/leaders/21721656-data-economy-demands-new-approach-antitrust-rules-worlds-most-valuable-resource>.

As a society, we're swimming in information. The information economy has grown to enormous proportions, and it's an economy many of us know little about.

Students today and in the future will need the tools to succeed in a world where the leading international currency is data. But they need to use this currency ethically and with consideration of human rights.

As more sophisticated techniques to collect, analyze and distribute data are developed, this industry is often likened to a "black box". We know what the purpose is but we don't know what's inside.

As The Economist argues, regulating this economy to promote transparency needs to be considered. Users are often in the dark about what these companies know about them and how they share data with third parties, and subsequently profit from that personal information.

We are all part of this economy – every time we sign up for a social media site, download or use an app or software, sign up for shopping or travel rewards, search our illnesses or symptoms online, watch videos, open an email account, or even drive a vehicle.

Look no further than the education sector. Some companies that provide supplies and develop digital educational tools have successfully shifted their business models to generate revenue from the collection, use and sharing of personal information. In Canada, this is exponentially increasing information flows between public education and the marketplace.

## **Regulating the Information Economy**

Regulating the information economy to promote transparency is really about protecting the privacy rights of individuals.

In Alberta, three laws exist to protect privacy and provide access to information rights.

The *Freedom of Information and Protection of Privacy Act* applies to public sector bodies, including schools, universities, government departments, municipalities, among others.

The *Health Information Act* regulates the collection, use and disclosure of health information and applies to health "custodians", such as Alberta Health Services, Covenant Health, Alberta Health, doctors, nurses, and others.

Finally, the *Personal Information Protection Act* applies to private sector organizations.

While all three laws have somewhat different rules in place for the collection, use and disclosure of personal or health information, the principles remain the same. Individuals have a right to access their own personal information and people should have control over the collection, use and disclosure of their own personal information.

My role is to regulate these three laws, and investigate matters where individuals believe their access or privacy rights have been infringed upon.

My office also has an education mandate, which provides me with the opportunity to be here today and allows me to inform yourselves and Albertans, generally, about access to information and privacy.

## **Privacy Education**

Privacy education is an area where everyone seems to be on the same page – we need more of it to teach students how to safely navigate their networked world. At the same time, it feels as though we're never catching up – new tools, games and gadgets keep coming up with new ways to collect and share information often without knowing exactly how that information is being collected, shared and monetized.

In addition, I've heard anecdotally that it's not that students have changed but the environments in which they are communicating have.

While these online environments have enhanced innovation in a number of ways, they've also given rise to a number of issues, such as cyberviolence, online harassment and surveillance.

It goes without saying that those issues have a number of detrimental effects at home, in classrooms and in the community.

This curriculum review provides an opportunity to incorporate the principles of privacy and how young people can control their personal information. Teaching students about privacy is also an opportunity to promote student independence and enhance their creative problem solving skills.

Teaching privacy will also develop students' sense of citizenship and civic education, since privacy is considered a fundamental human right by the United Nations and is regarded as a quasi-constitutional right in Canada.

## **Privacy Education Initiatives for Children and Youth**

My office and others are involved in a number of initiatives to educate children and youth about privacy, and I hope you will leverage some of this work as you continue your review.

There are three initiatives I would like to share with you today.

### **International Competency Framework for Teaching Students About Privacy**

First, the International Conference of Privacy and Data Protection Commissioners passed a resolution in support of educating students about privacy, and a competency framework was developed.

The Personal Data Protection Competency Framework for School Students<sup>2</sup> is directed at educators and is available online.

This training framework is intended to help educators provide students with:

- Knowledge and understanding about their digital rights and responsibilities.
- Critical thinking skills for the ethical uses of personal information.
- An awareness of risks associated with networked spaces.
- And the skills necessary to navigate the digital environment with confidence and respect for the rights of everyone.

The framework was also developed with the flexibility to consider and incorporate the laws that exist in various jurisdictions. It's a document to build upon.

While the focus on digital technology is often limited to developing skills needed for innovation, special attention must be paid to the risks in these environments, ethical uses of technology and respect for human rights.

These aspects are often missing when discussing the emergence of digital technology in society as a whole, and, as The Economist article notes, have advanced so quickly that regulating the industry has fallen behind.

### **Privacy Commissioners Across Canada**

A second initiative we're involved in, in partnership with the Office of the Privacy Commissioner of Canada and other offices across Canada, is the development of a number of resources,

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<sup>2</sup> "Personal Data Protection Competency Framework for School Students: Intended to help Educators", *International Conference of Privacy and Data Protection Commissioners*, October 2016, retrieved from [https://www.oipc.ab.ca/media/797482/joint\\_guidance\\_international\\_privacy\\_framework\\_students\\_oct2016.pdf](https://www.oipc.ab.ca/media/797482/joint_guidance_international_privacy_framework_students_oct2016.pdf).

including a comic book<sup>3,4</sup> teaching kids about the risks associated with social media and apps. We also published a lesson plan<sup>5</sup> to teach students about how and why websites and apps collect personal information.

The lesson plan was the result of a global privacy sweep my office participated in, along with around 40 other privacy regulators worldwide.<sup>6</sup> The privacy sweep reviewed nearly 1,500 websites and apps targeted at children and youth.

That privacy sweep found that 67 percent of the websites and apps were collecting children's personal information, while 50 percent shared that information with other organizations.

Only 21 percent of the websites and apps had effective controls in place to limit the collection of children's information and only 24 percent encouraged parental guidance or involvement.

Meanwhile, more than 70 percent didn't provide a way for individuals to delete the information the organization collected.

Needless to say, these are startling numbers when considering privacy laws at their core are about controlling your own personal information.

### **The eQuality Project**

And finally, a third initiative we're involved in, along with Alberta Status of Women, Alberta Teachers' Association and a number of other organizations, is the eQuality Project.<sup>7</sup>

This is a seven-year research program that was awarded funding by the Social Sciences and Humanities Research Council of Canada. Essentially, the researchers leading this project are looking at the interplay between big data, technology and surveillance techniques in classrooms and how these impact privacy.

And, here's a bit of a spoiler alert! The researchers are finding there are many privacy risks for both students and teachers as a result of this interplay.

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<sup>3</sup> "Social Smarts: Privacy, the Internet, and You", Office of the Privacy Commissioner of Canada et al., retrieved from [https://www.priv.gc.ca/media/3609/gn\\_e.pdf](https://www.priv.gc.ca/media/3609/gn_e.pdf).

<sup>4</sup> "Graphic Novel Discussion Guide", Office of the Privacy Commissioner of Canada et al., retrieved from [https://www.priv.gc.ca/media/3604/gn\\_guide\\_e.pdf](https://www.priv.gc.ca/media/3604/gn_guide_e.pdf).

<sup>5</sup> "Kids' Privacy Sweep Lesson Plan", Office of the Information and Privacy Commissioner of Alberta and Office of the Privacy Commissioner of Canada, September 2015, retrieved from [https://www.oipc.ab.ca/media/604268/guide\\_kids\\_privacy\\_sweep\\_lesson\\_sep2015.pdf](https://www.oipc.ab.ca/media/604268/guide_kids_privacy_sweep_lesson_sep2015.pdf).

<sup>6</sup> "Global Privacy Sweep Finds Half of Websites, Apps Are Sharing Children's Personal Information", Office of the Information and Privacy Commissioner of Alberta, September 2, 2015, retrieved from <https://www.oipc.ab.ca/news-and-events/news-releases/2015/global-privacy-sweep-finds-half-of-websites,-apps-are-sharing-childrens-personal-information.aspx>.

<sup>7</sup> The eQuality Project website can be found at <http://www.equalityproject.ca/>.

There are also social aspects to the eQuality Project to reinvigorate the debate on cyberviolence, promote equal opportunity, and to consider whether networked spaces are reaching their goal of enhancing learning and entrepreneurship, rather than being seen simply as an extension of social circles.

The project ultimately aims to develop policies that can be applied across Canada to promote safe and healthy online relationships in schools.

Now in year two, the eQuality researchers have already completed very important work. For example, they recently published a research study in partnership with MediaSmarts on how teens make privacy decisions about photos on social media.<sup>8</sup>

They're also engaged in research around online behavioural tracking and monitoring of students in classrooms, and the use of social media for educational purposes.

These types of tools are a form of "surveillance capitalism"<sup>9</sup>, a term coined by a Harvard business professor, and there are number of examples in Canada, the United States and the United Kingdom to draw from.

This research is bringing awareness to the often unsanctioned and disparate use of these types of tools by educators in classrooms in Alberta and across Canada. It's my understanding that the Alberta Teachers' Association is also looking into this topic.

The use of these tools is well intentioned but the questions around privacy and sharing of personal information that must be considered are often secondary or disregarded.

In addition, the eQuality researchers have completed some interesting work with students.

Through surveys and interviews, the researchers have found that students are often applying their independence and problem solving skills to protect their privacy in creative ways, and have a keen understanding of privacy. However, much of it is learned through trial and error in their social circles, often with ramifications that could negatively impact their abilities to transition from school to postsecondary, the workforce or as citizens, generally.

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<sup>8</sup> "To Share or Not to Share: How Teens Make Privacy Decisions about Photos on Social Media", MediaSmarts and eQuality Project, 2017, retrieved from <http://mediasmarts.ca/sites/mediasmarts/files/publication-report/full/to-share-or-not-share.pdf>.

<sup>9</sup> Zuboff, Shoshana. "Big other: surveillance capitalism and the prospects of an information civilization." *Journal of Information Technology* 30.1 (2015): 75-89.

## Concluding Remarks

I would like to see digital rights and responsibilities formalized in the curriculum so that these important discussions are facilitated by professional educators in classrooms, as well as at home with parents and guardians.

As students enter middle years, they strive for independence. Learning how to control their own personal information and protect their privacy is essential for this independence and will promote critical thinking skills required for the 21<sup>st</sup> Century.

While the information economy has several benefits, it is never too late to learn and ask questions about this economy's "black box" or to teach students about the world's leading currency.

With that, I again extend an invitation to follow up with my office. We are happy to help.

Thank you for the opportunity to be here, and I am happy to answer any questions you may have.