

SREB

# Flash Bulletins in Ed Tech

67<sup>th</sup> Annual Legislative Work Conference  
Boca Raton, Florida

Wanda Barker, Director  
Education Technology and Multi-State  
Cooperative Programs

# 10 Issues in Educational Technology

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February 2018

Southern  
Regional  
Education  
Board

SREB.org





What's  
required in  
your state?



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Southern Regional  
Education Board

Data Privacy and Security

Do Institutions/Schools in your state have:

Data privacy policy?

Data breach plan?

Disaster recovery plan?

Do you know where cloud-based systems or data are hosted?

In-state or in-country hosting?

Vendor notification of a security breach?

How are schools/colleges notified of changes to laws or policies?

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One state had 4 Billion attempted breaches on K-12 info. systems in 2017!

What is a breach?  
When should I report it?  
How do I report it?

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Breach: *any unauthorized disclosure, misuse, alteration, destruction or other compromise of information. (can be electronic or hard copy disclosure!)*



Title IV schools must report **on the day of detection** when a data breach is even suspected



The Department has the authority to fine institutions that do not comply with the requirement to self-report data breaches; up to **\$54,789 per violation** per 34 C.F.R. § 36.2



Email [cpssaig@ed.gov](mailto:cpssaig@ed.gov) and copy your data breach team, executives, per your policy **or** call Education Security Operations Center (ED SOC) at 202-245-6550. ED-SOC operates 7x24

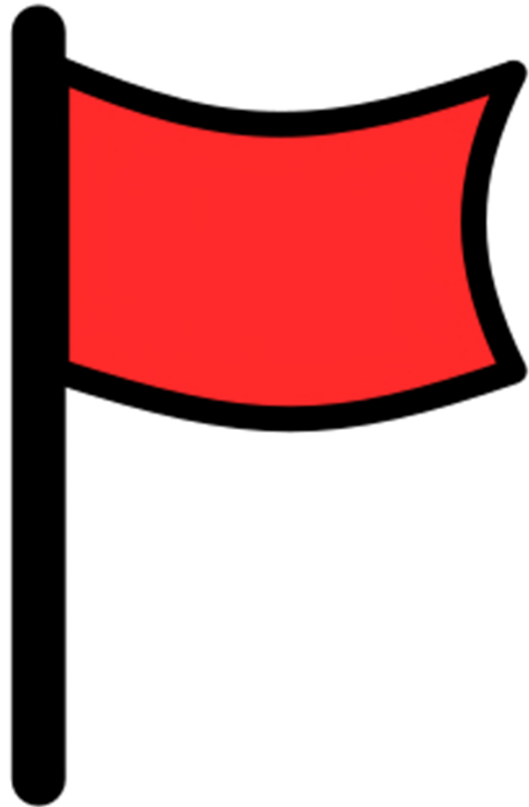


Title IV schools  
are *financial  
institutions* per  
the Gramm-Leach-  
Bliley Act (GLBA,  
2002)

Schools without  
GLBA safeguards  
may be found  
administratively  
incapable (unable to  
properly administer  
Title IV funds).

- GLBA Safeguards are:
  - **Develop, implement, & maintain documented data security (info-sec) program**
  - **Designate employee(s) to coordinate the program**

## Gramm-Leach-Bliley Act



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## Red Flags Rule

Title IV schools are subject to FTC ***Identity Theft Red Flags Rule*** (72 Fed. Reg. 63718, Nov. 2007)

Requires an institution to develop and implement a written Identify Theft Prevention Program to:

Detect

Prevent

Respond to patterns, practices, or specific activities that may indicate *identity theft*

# Cloud Global Footprint Map

**Consolidated Cloud Global Footprint Map**

|  |  |   |
|--|--|---|
|  Salesforce |  Google |  MS O365 |
|  MS Azure   |  Amazon |  Oracle  |

Where is the education data from *your state* stored?



SOURCES: MS O365 - <https://www.microsoft.com/online/legal/v2/?docid=25> | Amazon - <https://aws.amazon.com/about-aws/global-infrastructure/> | Google - <https://www.google.com/about/datacenters/inside/locations/index.html>  
Salesforce - <https://help.salesforce.com/servlet/servlet.FileDownload?file=01S300000035PzoAAE>, <http://www.cloudsuccess.com/blog/where-are-salesforce-com-data-centres/>, <http://www.datacenterknowledge.com/archives/2014/11/04/salesforce-com-data-center-opens-in-the-uk>  
MS Azure - <http://www.iliclouds.org/20141114/maps-of-data-center-localization/> | Map - [http://play.ramjam.co.uk/travelsupermarket/img/TS\\_Map\\_Blue2.png](http://play.ramjam.co.uk/travelsupermarket/img/TS_Map_Blue2.png) | Oracle - <http://4.bp.blogspot.com/-pqFYOnLVJm8/VUQus8TH88I/AAAAAAAA1x8/1XNT4ocse>

Blackboard

## A Welcome Change to Data Privacy

As of 25 May 2018, the **European General Data Protection Regulation (GDPR)** will create a shift in the way organisations must collect and process personal information. Blackboard welcomes this change. For us, data privacy is of utmost importance and we understand that it's a human right. Using GDPR as an opportunity to strengthen our global practices, we are building on our existing robust data privacy practices - Blackboard is EU-US Privacy Shield certified, is a proud signatory of the Student Privacy Pledge and a member of the Future of Privacy Forum -- to continue our client-focused approach and support data privacy compliance.

### What does this mean for our e-mail subscribers?

As part of this project, we have updated our **Privacy Statement**, which you can review [here](#). The Privacy Statement explains in more detail our approach to marketing and client communications, and to keeping your subscription information safe.

Quality Matters is committed to providing our community with tools and resources for quality assurance in online and blended learning. When you use our services and website, you're trusting us with your information. We value the trust you put in us and work hard to protect your privacy and data.

In line with the upcoming changes to European Union data protection law, we have updated our **Privacy Policy** effective May 25, 2018.

These changes include providing you with more information on what we collect, why we collect it, and how you can manage your information.

Have questions? Please contact us.  
Sincerely,  
The Quality Matters Team



Quality Matters (QM) is an international, US-based non-profit organization specializing in standards, processes and professional development for quality assurance in online and blended learning. QM tools and resources are regularly revised to reflect current research and best practices. When you see QM Certification Marks on courses or programs, it means they have met QM Course Design Standards or QM Program Review Criteria in a rigorous review process.



### YOUR PRIVACY IS IMPORTANT TO US!

TradeWinds is committed to protecting the privacy of our guests and that includes transparency regarding data collected, how it's used, and how it can be managed. It's for this reason, and to comply with the new **General Regulations on Data Protection** that has recently come into effect regarding residents in the European Union, that we would like to share our **privacy policy** with you!

### Please Review Our Updated Privacy Policy

Pyramid respects your privacy and security, so we've updated our Privacy Policy so that it's in line with the new European General Data Protection Regulation (GDPR). The GDPR increases transparency and better protects the rights of individuals.

## PYRAMID RESPECTS YOUR PRIVACY



### We've updated our Privacy Policy

Pyramid respects your privacy and security, so we've updated our Privacy Policy so that it's in line with the new European General Data Protection Regulation (GDPR). The GDPR increases transparency and better protects the rights of individuals. Please refer to the new Privacy Policy here: <https://www.pyramidathletics.com/privacy-policy/>

As a world class analytics and BI solution, we're committed to providing you with the latest news, industry insights, and other important information. To ensure you have all the necessary Pyramid information, simply visit our **Preference Center** to select the content you would like to receive from us. To stop receiving Pyramid marketing communications, click unsubscribe in the **Preference Center** now, or at any time in the future by clicking the unsubscribe link at the bottom of our emails.



Dear Commenters,

At this point, you have probably heard about the new General Data Protection Regulation ("GDPR"), that comes into effect May 25, 2018 (today). In order to both comply with the GDPR as well as inform you of recent changes to our Privacy Policy, we would like to

- Confirm that your subscription settings are updated,
- Send you our updated, human-readable Privacy Policy. The policy can be found on our [website](#). A more robust description of what's changed is on our [blog](#).
- Thank you for being patient with the many, many GDPR emails you have surely received at this point!

If you want to update your subscription settings, or opt out entirely of Creative Commons content, please click the button below.





# European Union: General Data Protection Regulations (GDPR)

**GDPR** is one of the most important changes in data privacy regulations in 20 years

After four years, **finally approved** by the EU Parliament on **14 April 2016**.

Enforcement date: **25 May 2018** - at which time those organizations in non-compliance may face heavy fines.

# In the European Union...

Privacy  $\neq$  Privilege

Privacy  $=$  Right



Protects all EU citizens from privacy and data breaches



Applies to all companies processing personal data of people residing in the Union, regardless of company's location



Under GDPR, organizations in breach of GDPR can be fined up to 4% of annual global turnover or €20 Million (whichever is greater)

**GDPR**  
[www.eugdpr.org](http://www.eugdpr.org)

# Rights Include

Breach Notification

Right to Access

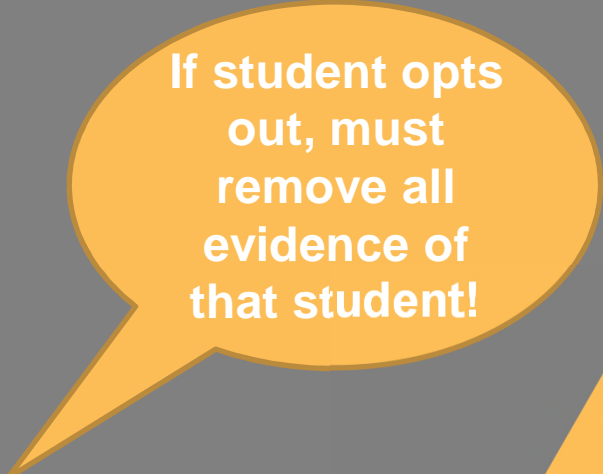
Right to be Forgotten

Data Portability

Privacy by Design

Data Protection

Officers



If student opts out, must remove all evidence of that student!





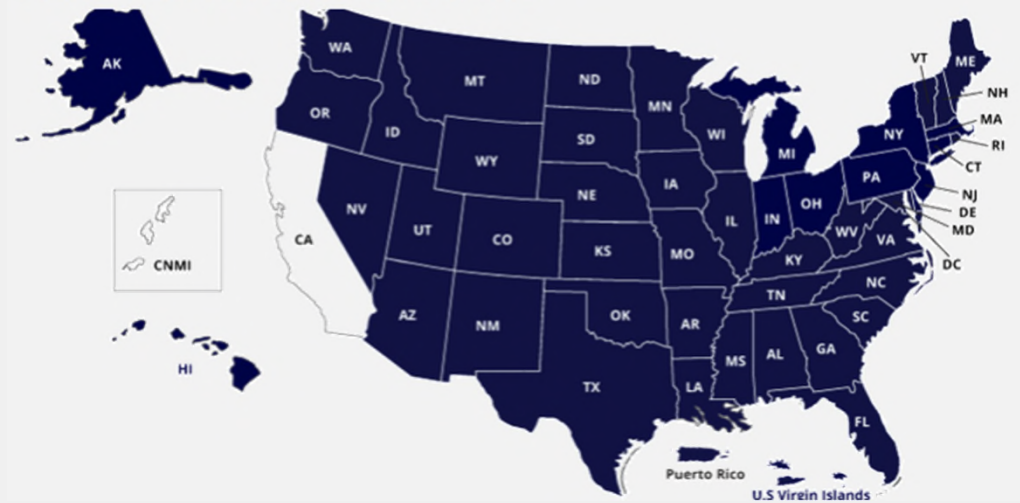
# State Authorization of Distance Education



Southern Regional  
Education Board –  
State Authorization  
Reciprocity Agreement

*A voluntary, regional approach  
to state oversight of distance education*

## SARA States & Institutions



The screenshot shows the Federal Register website interface. At the top, there is a navigation bar with options like Sections, Browse, Search, Reader Aids, and My FR. The main header features the Federal Register logo and the text "FEDERAL REGISTER The Daily Journal of the United States Government". A blue banner indicates "Proposed Rule". The main heading is "Program Integrity and Improvement", with a sub-heading "A Proposed Rule by the Education Department on 05/25/2018". A comment period notice states "This document has a comment period that ends in 13 days. (06/11/2018)" and includes a "SUBMIT A FORMAL COMMENT" button and a link to "Read the 3 public comments". Below this, the "PUBLISHED DOCUMENT" section is visible, containing details for the "AGENCY" (Office of Postsecondary Education, Department of Education), "ACTION" (Notice of proposed rulemaking), and "SUMMARY" (The Secretary proposes to delay, until July 1, 2020, the effective date of the final regulations entitled Program Integrity and Improvement published in the Federal Register on December 19, 2016 (the final regulations). The current...). To the right, the "DOCUMENT DETAILS" section shows "Printed version: PDF", "Publication Date: 05/25/2018", "Agency: Department of Education", and "Dates: We must receive your comments on or before June 11, 2018. As previously indicated, we are establishing a 15-day public comment period for the proposed delay in effective".

## Program Integrity and Improvement Federal Regulations – Proposed Delay Notice of Negotiated Rulemaking

**Delay is likely to take effect  
July 1, 2020**

### FOR FURTHER INFORMATION CONTACT:

Sophia McArdle, Ph.D., U.S. Department of  
Education, 400 Maryland Ave. SW, Mail  
Stop 290-44, Washington, DC 20202.  
Telephone: (202) 453-6318. Email:  
[sophia.mcardle@ed.gov](mailto:sophia.mcardle@ed.gov).



Be prepared for compliance in July 2020



Regardless of federal regulations, states have their own laws about distance education



Lack of proper notifications on programs that lead to professional licensure are one of the leading causes of student lawsuits



SARA institutions have agreed to the SARA rules in place

## What should institutions do?



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Educational Technology  
Cooperative

## Questions?

[Wanda.Barker@SREB.org](mailto:Wanda.Barker@SREB.org)

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