



# EngageNY Portal (ENYP): Data Security and Privacy

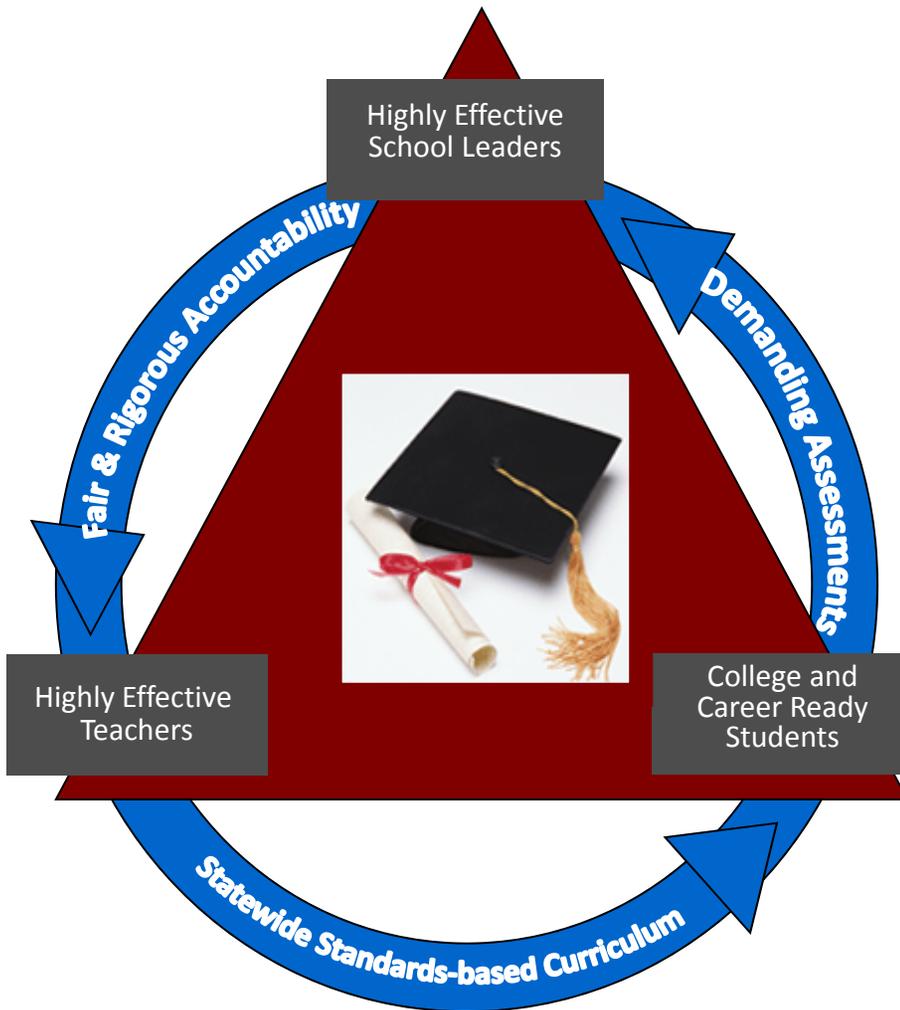
**Dr. John B. King, Jr.**

President of the University of the State of New York and  
Commissioner of Education

**November 20, 2013**



# Regents Reform Agenda



- Implementing **Common Core standards** and developing **curriculum and assessments** aligned to these standards to prepare students for success in college and the workplace.
- Building **instructional data systems** that measure student success and inform teacher and principals how they can improve their practice in real time.
- Recruiting, developing, retaining, and rewarding **effective teachers and principals**.
- Turning around the **lowest-achieving schools**.

# Goals of the EngageNY Portal:

- **Secure and private data tools for educators, students, and families**
- **Easy access to Common Core curriculum and instruction resources (EngageNY.org)**
- **Online communities for educators**
- **Ability for LEA's, BOCES, NYSED, or third-parties to more effectively improve, add to, and sustain the system following initial State investments**
- **Accessible statewide data are needed for NYSED to meet its statewide program monitoring and improvement responsibilities**

# Existing Data System Practices

- **Data systems support our core mission to provide high quality education services**
- **Consistent with the Family Educational Rights and Privacy Act (FERPA), New York has had a statewide student database in place since 2004 and provides this information to third parties as necessary to meet its program evaluation and improvement responsibilities (e.g., school report cards)**

# Existing Data System Practices

- **Consistent with FERPA, districts and schools provide data to third parties to meet their instructional and organizational responsibilities**
  - **Student enrollment and attendance**
  - **School schedules**
  - **Special education service coordination**
  - **School lunch and transportation**
  - **Report cards and transcripts**
  - **Online learning**
  - **Emergency parent contact services**

# Existing Data System Practices

- When schools and districts provide their data to third-party vendors of educational technology tools, they are paying twice:
  - Paying for the vendor's tool
  - Paying for data standardization (to make the tool work with local data)
- Because of this, schools and districts, parents and students have fewer educational technology options and higher costs
- Separate systems are not coordinated, meaning that teachers spend more time integrating data and less time teaching
- Data security and privacy protocols are not standardized across schools and districts

# **Biggest Risks to data security and privacy right now:**

- **Student paper records left unattended**
- **Unattended computer workstations**
- **Weak passwords**
- **The same password used over and over**
- **Lists of passwords left unattended and in plain view**
- **Student information sent through email**
- **Computers connected to internet without latest security patches**

# ENYP: Data Privacy and Security

- **Data security and privacy is a primary goal**
- **Data are shared with third parties only for educational purposes, consistent all federal and state requirements, including FERPA**
- **Data can only be used for specific contract purposes**
- **Data are not sold or used for other commercial purposes**
- **Third parties must maintain rigorous and continuous data security and privacy protections**
- **Data must be destroyed upon termination of the contract**

# ENYP: Data Privacy and Security

- ENYP data categories are posted at <http://usny.nysed.gov/rttt/data/engageny-portal-data-dictionary.pdf>
- These data are provided to the State:
  - **Biographic**
  - **District, school, and course enrollments**
  - **Program services**
  - **State assessments**
  - **Attendance and suspension information**
- **Schools may include additional local data**
- **NYSED does not and will not collect Social Security Numbers**

# ENYP: Data Privacy and Security

- **Statewide data are needed for schools to compare their achievement to local, regional, statewide results**
- **Statewide data are needed for K-12 electronic educational records exchange to support timely services following student transfer**
- **Statewide data are needed for SED to meet its statewide program monitoring and improvement responsibilities**
- **If districts elect to provide optional local data to the ENYP, they must do so consistent with their local data privacy policies and all applicable laws and regulations, including FERPA**

# Data System Enhancements

- **Develop a platform of services and standards that allow tools to be built to standard (will work “out of the box”) so**
  - **Schools pay less for tools**
  - **Schools have more options**
  - **Teachers and parents have access to integrated data and content**
- **Develop statewide security protocols for educators, students, parents to ensure only the right people view the right data**

# inBloom

- **Non-profit organization that provides services for data security, storage, access, and transport**
- **All service standards are open and non-proprietary**
- **These “platform” services allow for more secure, efficient, and cost effective data display options for educators, students, and families**
- **Two levels of protection: intrusion protection and encryption (at rest and in motion). Even in the unlikely event of a breach, the encrypted data would be unreadable and unusable.**

# inBloom

- **Did not create the sharing of data with vendors – that has been happening in New York and across the country for many years**
- **Provides non-proprietary data services to help make it more secure and more efficient for school districts to do what they are already doing**
- **Could be replaced with different service providers in the future**

# inBloom

- **Although other providers could begin to offer services similar to inBloom, school districts cannot match this capacity on their own**
- **Without a similar service, security protocols vary, schools pay more for educational technology tools, and schools have fewer instructional options**
- **Without a similar service, teachers must spend more time integrating data and less time teaching**

# Cloud Storage

- **Cloud storage means that data are stored on computers in shared data centers**
- **Best-in-class cloud storage is likely more secure than data stored on school or district computers with fewer resources for privacy protection**
- **ENYP requires that all cloud storage comply with the federal FedRAMP security standards ([www.FedRAMP.gov](http://www.FedRAMP.gov))**

# Cloud Storage

- **States/districts retain ownership of all stored data**
- **Local and State data are separated from other states and districts (there is no national database)**

# Common Questions

Question	Response
Do districts and schools have to use the EngageNY Portal?	All Race to the Top (RTTT) districts and schools are expected to participate in the EngageNY Portal. To participate, a district or school only has to select a no-cost data dashboard and distribute a PIN to teachers, students, and families for secure account creation.

# Common Questions

Question	Response
If a district or school ends its participation in RTTT, will its data still be sent to inBloom?	A statewide data set will be provided to inBloom so that dashboards can provide comparisons between local and regional/statewide achievement results; schools are able to access electronic educational records immediately upon student enrollment; and NYSED is able to carry out its statewide program monitoring and improvement functions.

# Common Questions

Question	Response
Will third-party service providers have access to student data?	FERPA allows states and districts to contract with third-party providers for authorized purposes. These service providers may access the data only when authorized by the State (for State-provided data) or the district (for district-provided data) for specific educational purposes, consistent with State and federal data security and privacy protections, such as developing and maintaining the EngageNY Portal and providing services specifically requested by the State and participating schools and districts. Data may not be sold or used for any other purposes (marketing or research).

# Common Questions

Question	Response
Which data will be used in the EngageNY Portal?	<p>The EngageNY Portal will use a subset of the data the State already collects for federal and State purposes. These data include biographic; district, school, and course enrollments; program services; State assessments; and attendance and suspension information (see <a href="http://usny.nysed.gov/rttt/data/engageny-portal-data-dictionary.pdf">http://usny.nysed.gov/rttt/data/engageny-portal-data-dictionary.pdf</a>).</p> <p>These data can be divided into 33 “entity types.” Entity types are broken into “data elements” for technical purposes only. For example, the entity type "School" (school of enrollment) is comprised of 18 different data elements.</p>

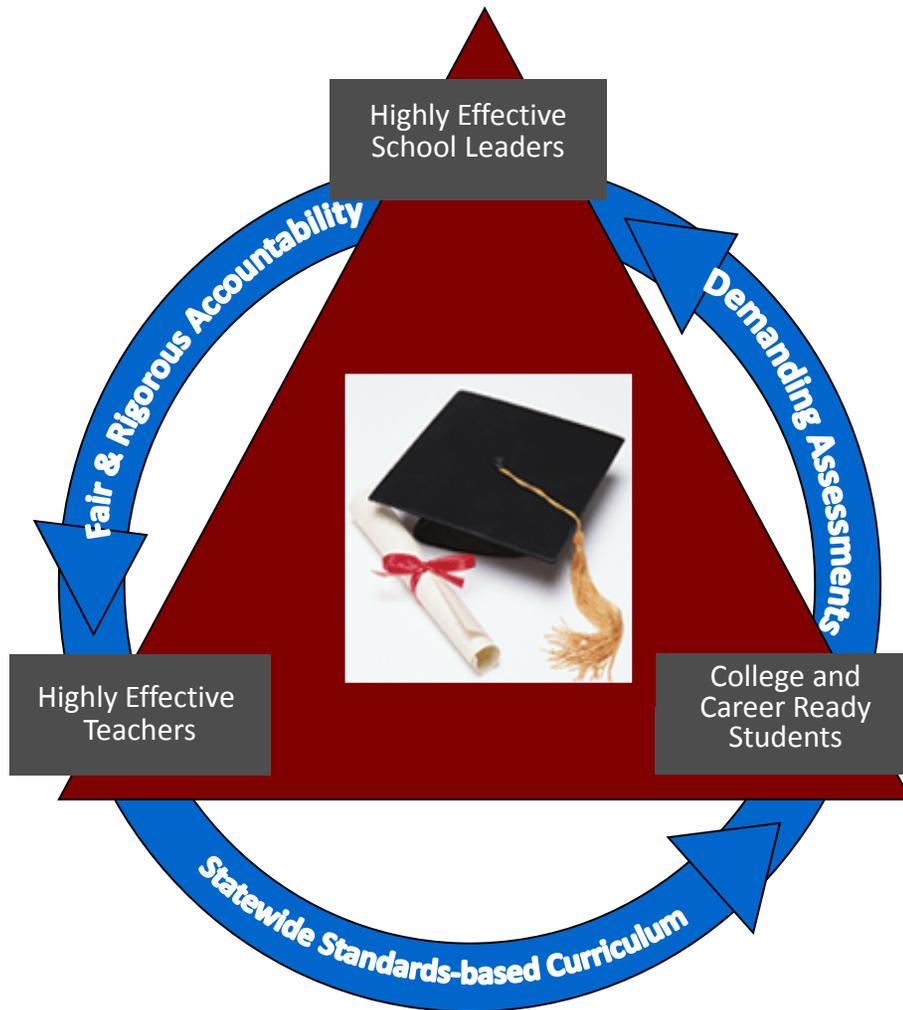
# Common Questions

Question	Response
<p>Why does the EngageNY Portal include disability, attendance, and suspension information?</p>	<p>Disability status is included as an indicator that a student has an accommodation plan. Staff that work with students are required to be aware when a student has a Section 504 accommodation plan or individualized education program (IEP).</p> <p>Dates of absences and dates of in- or out-of-school suspensions are included so that parents and students may verify the data and to help identify and provide supports to students who may be at risk of dropping out. No suspension details are included other than the date of the suspension. Suspension data are not part of the data that can be authorized for transfer to SUNY/CUNY upon student application to those programs.</p>

# Common Questions

Question	Response
Are parents able to opt out of the EngageNY Portal?	<p>There is no provision for parents to opt out of student data systems that are consistent with FERPA, such as the EngageNY Portal.</p> <p>If parents were to opt their children out of these types of systems, everything from course scheduling to transportation to school lunches to high school transcripts for college applications would be impacted. It would be virtually impossible – or extraordinarily more expensive – to conduct much of the day-to-day data management work of schools.</p>

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For more information, see  
<http://www.engageny.org/portal>

