



LEADING EDUCATION INNOVATION



# Student Data Privacy Roadmap: Your Guide to Earning the TLE Seal

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## About the TLE Seal Program Handbook

This handbook was created to inform school system leaders about the CoSN Trusted Learning Environment (TLE) Seal Program, which supports your commitment to continuously improve your student data privacy efforts. It includes an explanation of the TLE Seal Program, how and why it was developed, and benefits of participating. It also includes a roadmap for getting started with your TLE Seal application, tips for managing the application process and for communicating your TLE Seal to your community.

Together, we can raise the bar on protecting student data privacy and move the conversation about privacy to one of trust.

## Introduction

For over 25 years, CoSN (the Consortium for School Networking) has provided school system technology leaders with the management, community building, and advocacy tools they need to succeed. A key component of this work is supporting school systems in balancing the benefits of technology with the need to protect student data privacy.

It is a challenge that is top of mind for school system technology leaders. According to the results of the [2017 CoSN Leadership Survey](#), 61 percent of school system technology leaders identified privacy and security as more important than the prior year, with 30 percent indicating that it was “much more important.”

Increasing concerns around protecting student data privacy is a trend that will continue. Although collection of student data has been part of the school system environment since the days when records were kept on paper, the use of technology in the classroom has brought with it an increase in parent concerns about how the data is protected. According to a [national study](#), 79 percent of parents identified the privacy of student records as their top concern around technology use in schools, and 76 percent of parents expressed concerns about how student information is collected and used.

Technology is a critical part of the 21<sup>st</sup> century classroom, and data are vital to efforts to provide a more personalized education for all students. At the same time, the need for school systems to demonstrate their commitment to protecting student data has never been greater.

Much of the privacy conversation has landed at the feet of school leaders. They are challenged to create 21<sup>st</sup> century learning environments that meet legal data privacy and security requirements and district rules, while explaining to the school community the safeguards in place around student data.

Implementing a holistic data privacy and security governance program is a fundamental requirement for all school systems, which need to ensure that data are properly protected, in compliance with laws, district policies, and community norms.

To move from compliance to trust and to address and ease the fears of parents and other community stakeholders, school systems must move beyond compliance. They must raise the bar on existing governance practices with concrete policies and practices to provide appropriate

protections for student data. They must also consistently and continuously communicate those practices to parents and the community and earn their trust.

## Why is Privacy Important?

Discussions about privacy of student data usually begin by acknowledging the complex legislative ecosystem that regulates school systems and education technology providers. Federal and state laws mandate that certain practices are in place to provide appropriate measures to keep student data private and secure, but compliance is not a simple endeavor. In addition, while education technology providers must also align with legal requirements, the school system ultimately determines what technology providers meet its standards for protecting the privacy and security of student data.

The repercussions for violating those laws are significant. Potential penalties include:

Family Educational Rights and Privacy Act (FERPA)	Loss of federal funding Precluded from providing student data to a vendor for a period of 5 years
Protection of Pupil Rights Amendment	Loss of federal funding
State laws	Repercussions vary by state, but include voiding contracts with vendors, and in the case of one state, incarceration

Even when these penalties are not imposed, the financial costs remain high.

Consider, for example, the price of responding to an inquiry from a regulatory authority regarding alleged non-compliance. Legal fees, time and resources spent addressing the issue and reassuring the community can have strong and detrimental impacts on school operations, even when there are no financial penalties imposed.

In the event of unauthorized access to data, costs could include: time and resources spent investigating and mitigating the incident, engaging with an external forensics firm, legal fees, costs of notifying impacted individuals - and perhaps providing those individuals with protective resources such as free credit monitoring services, notifying state boards of

education or other regulatory authorities, identifying and implementing remediation measures, as well as time and resources spent communicating with parents and other community stakeholders and rebuilding trust in your district.

In addition, the impact of a privacy or security incident may last well into the future. The costs aren't just financial, and many can't be measured in the present day. For example, in light of a significant data privacy or security incident, consider the potential impact on an application for a state bond, increases in liability insurance premiums, or in the case of private schools, declining enrollment numbers as parents express reluctance to join your school system.

How do you recover from the reputational harm, when parents who trust you with their children are concerned about your ability to adequately protect the privacy and security of their child's data?

No school system is immune to risk, and no compliance program can ensure complete protection of student data. However, risk can be reduced by implementing a solid foundation of governance that reaches beyond the regulations and addresses the behavior, policies and practices that provide appropriate protections across your school system. By incorporating community outreach and transparency around your program, you have the opportunity to build a trust bank within your community that will make recovering from any incident immeasurably easier.

## About the TLE Seal Program

The Trusted Learning Environment (TLE) Seal Program is a voluntary and ambitious program that sets practices and norms for school systems around the privacy of student data. It is the only student data privacy seal for school systems and school organizations of all governance structures, signaling that they have taken measurable steps to help ensure the privacy of student data.

The goal of the program is to provide school system leaders with standards against which to measure their governance programs - and to reframe the conversation with parents and other community stakeholders around student data privacy to one of trust.

Creating this trust requires that school system leaders implement documented policies and practices to protect student data. School system leaders should then clearly communicate those policies and practices to parents, community members and policymakers.

The TLE Seal Program was created after recognizing the complex processes and practices that school systems must implement to meet regulatory requirements and protect the privacy and security of student data.

The TLE Seal Program provides school systems with a set of concrete practices to evolve their student data protections beyond the legal requirements. It also encourages school systems to continuously examine and improve their policies and practices, and requires that they measure their work in this area against a set of high standards developed by their peers.

**The TLE Seal Program is a comprehensive approach to the protection of student data.**

By meeting the requirements of the TLE Seal Program, school systems are able to apply to earn the TLE Seal. The TLE Seal is a mark of distinction for school systems, signaling that they have taken measurable steps to ensure the privacy of student data.



Through participation in the TLE program, school systems can more easily demonstrate their commitment to high compliance standards and continuous examination and evolution of privacy practices.

School systems that earn the TLE Seal are recognized for successfully implementing the practices to build and foster “trusted learning” at the core of their cultures.

When earned, the TLE Seal is applicable for two years, during which time recipients are expected to continuously improve their governance practices and communicate those practices clearly to parents to gain their trust.

[Learn more about the current TLE Seal recipients.](#)

## How was the TLE Seal Program Developed?

Led by CoSN, the TLE Seal Program was developed by school system leaders for school system leaders. It was created in collaboration with 28 school system leaders nationwide, with support from lead partners AASA, the School Superintendents Association, ASBO, the Association of School Business Officials International and ASCD. This group identified the characteristics and practices of a Trusted Learning Environment, setting high standards around protecting student data.

Their work was then validated by 50 school system technology leaders.

The current TLE Seal Program is [supported](#) by the lead partners and various educational organization supporting partners.

## TLE Seal Program Requirements

To apply for the TLE Seal, school systems must demonstrate their commitment to excel in each of the following core practice areas:

**Leadership:** manage and collaborate with stakeholders regarding the use and governance of student data to inform instruction

**Classroom:** implement educational procedures and processes to ensure transparency while advancing curricular goals

**Data Security:** perform regular audits of data privacy and security practices and publicly detail these measures

**Business:** establish acquisition vetting processes and contracts that, at minimum, address applicable compliance laws while supporting innovation

**Professional Development:** require school staff to conduct privacy and security training, and offer the instruction to all stakeholders

Within these core practice areas are 25 distinct requirements that school systems must meet. These requirements are [publicly available](#). To earn the TLE Seal, school systems must provide specific [evidence](#) demonstrating that they have concrete policies and practices in place that provide appropriate protections for student data.

TLE Seal Applications are reviewed by the TLE Seal Program Project Director and at least one school system technology leader. Qualified applicants are awarded the TLE Seal, signaling to their communities that they have taken measurable steps to help ensure the privacy of student data.

The Trusted Learning Environment (TLE) Seal is a mark of distinction for school systems, signaling that they have taken measurable steps to implement practices to help ensure the privacy of student data.

## Benefits of Earning the TLE Seal

The TLE Seal Program provides a set of concrete practices to inform the advancement of student data protections beyond the legal requirements. It encourages school systems to continuously examine and improve their policies and practices, and requires that they measure their work against a set of high standards developed by their peers.

**The TLE Seal Program application is a framework for developing and improving a student data privacy governance program.**

School systems can review their governance program against the requirements of the TLE Seal Program, making it easier to identify areas of strength and areas that require improvement. As a result, school systems can focus resources more effectively.

For school systems that are beginning the process of developing a governance program to address the requirements of technology compliance, the TLE Seal Program provides a framework for building the program in a manner that is methodical and comprehensive. The TLE Seal Program is more than a compliance framework.

It extends beyond policy and process, and guides school systems to build a culture of trust and transparency.

Applications to the TLE Seal Program are completely confidential. The TLE Seal Program is focused on supporting improvement of school system privacy practices. Whether or not a school system earns the TLE Seal, all school systems that submit a completed application receive confidential information explaining how they scored on each of the 25 practice items, with feedback on each item and recommendations for improvement.

Each applicant also receives a benchmarking report, demonstrating how the application scores compared with the aggregated, anonymous scores of all TLE Seal recipients.

School systems are encouraged to use the feedback to target specific actions for improvement, and are invited to reapply.

To further support school systems, TLE Seal Program participants are invited to join the CoSN Network Protecting Privacy in Connected Learning online community. This group of school

system leaders is dedicated to discussions of privacy issues and to supporting each other through the TLE Seal Program application process.

Together, the group works to help TLE Seal Program applicants improve their student data privacy practices.

By participating in the TLE Seal Program, school systems can not only improve their protections around student data, but can also more easily demonstrate their commitment to high compliance standards and continuous examination and evolution of privacy practices to parents and other community members.

## Championing the Program in Your School System

Developing a data privacy governance program is not the job of one person or one team. It is a multi-stakeholder endeavor that requires school system executive leadership support. In fact, one of the core practice areas of the TLE Seal Program deals with assurances about executive leadership involvement with and support for the school system's student data protection efforts.

Earning support from executive leadership to participate in the TLE Seal Program will provide the foundation needed to move forward successfully with the program. School system leadership knows that protecting student data privacy is a top concern of parents, legislators and their peers. They also appreciate that no governance program can be effective without their support.

Consider these TLE Seal Program Leadership requirements:

1. The deliberations and decisions of school system leaders reflect an understanding of data privacy and security.
2. The school system has up to date policies and regulations addressing data privacy compliance requirements.
3. The school system's policies and regulations set clear expectations for the protection of student data privacy and security, as well as the transparent use of data.
4. A school system executive leader is identified as the person responsible for development and implementation of data privacy and security policies and practices.
5. School system leaders provide transparent, updated and accessible communications regarding the collection, management and use of student data to their community.
6. School system leaders ensure adequate resources are available to meet data privacy and security needs.

Technology leaders are uniquely positioned to support school executive leadership in evolving their work in this area. By providing information on the current legislative landscape, tangible and intangible costs of non-compliance and concrete suggestions for improving practices, your school system will foster a culture of collaboration around protecting student data.

## How to Approach the Application

The TLE Seal Program application is a significant endeavor. Once you have received executive leadership approval to apply, there are a few simple steps that will help set the stage for managing the application process.

1. [Review the application](#) and identify the stakeholders in your school system who would be responsible for different practice items.
2. Meet with your stakeholders to explain the TLE Seal Program application process, and decide on a timeline for completion.

Timelines may vary significantly among school systems. After reviewing the application, some school systems may find that they need to take some time to implement or improve on certain practices before applying for the TLE Seal. Others may find that, while robust policies are in place, the procedures for complying with those policies have not been documented, or the policies lack a framework for accountability. Each school system must create its own roadmap for progress at the pace that works best within the organization.

3. Develop a simple project management template.

This doesn't need to be a complex document. It is a simple a tool to keep track of each stakeholder's responsibilities, timelines, and progress against the requirements. One individual or group of individuals may own keeping the document up to date, building in extra accountability for making progress.



#### 4. Gather and assess your materials.

After reviewing the application, identify what policies, processes, and practices are already documented. Ask your stakeholders to gather those materials and work together to assess them. Are they current and comprehensive? Have they been reviewed and updated within the past year? Are your stakeholders comfortable that they meet the requirements of the Program?

Identify your gaps and create separate project roadmaps with your stakeholders to establish the work that you'll undertake to improve your governance program.

#### 5. Complete and submit your application

When you're ready, begin filling out your application during the designated application window. Filling out the application is simple. You may move easily between different areas of the application, and do not need to complete it in one sitting. Once you've started an application, you can save your progress and go back to it on your own schedule.

Excerpt from sample project management template designed by a TLE Seal recipient:

Area	Practice	Contact(s) Practice Owner(s)	Artifact Exists?	Example Artifacts	Proposed Artifact Description	Artifact Supplied?	How the district is meeting this practice. (written TLE application response for each practice)	Internal Assessment/Reflection on Practice
Leadership	1. The deliberations and decisions of school system leaders reflect an understanding of data privacy and security.		Y	Agendas and/or minutes from school leadership meetings demonstrating that groups such as a school system governing board, superintendent's cabinet or other leadership groups regularly engage in thoughtful discussions about school system compliance with FERPA, COPPA, PPRA, CIPA, state laws and local norms, and consider school policies and practices related to ensuring that rigorous student data privacy and security measures are in place.		Y		Consider whether or not the evidence reflects consideration for all applicable laws and district policies.
Leadership	2. The school system has up to date policies and regulations addressing data privacy compliance requirements.		Y	School system policies and/or rules explaining process and procedure for employees to follow in order to comply with FERPA, COPPA, PPRA, CIPA, state regulation and school system rules. This should not be a simple statement of the laws, but policies and processes for employees to follow.		N		
Leadership	3. The school system's policies and regulations set clear expectations for the protection of student data privacy and security, as well as the transparent use of data.		N	School system policies and/or regulations explaining procedures employees are to follow to ensure the privacy and security of student data, and how the school system communicates to the community the purposes for which it collects and maintains student data.		N		

## Helpful Application Hints

By beginning the TLE Seal Program application process, you will have the benefit of joining the CoSN Protecting Privacy in Connected Learning online community and learning how to work through the TLE Seal Program application from those who know it best: TLE Seal recipients.

TLE Seal Recipients have all been instrumental in informing these [examples of evidence](#), providing a model for school systems to follow, as well as inspiration for developing school system practices. Review these examples to help inform your own application materials.

In addition, **review the practice items carefully**. Each of the 25 items is specifically worded to communicate the requirements. Be sure you are providing evidence that reflects all aspects of each requirement.

Reviewing the following tips can also help ensure your application is on the right track:

## TLE Seal Program Application Tips

DO	DON'T
Ensure that your policies and procedures explain your expectations for behavior necessary to comply with the law	Create policies that simply reiterate the law
Develop a security incident response procedure that explains how your employees are expected to report a suspicious event and the procedure for leadership to manage the response	Confuse a disaster recovery procedure with an incident response procedure
Provide procedures that demonstrate how your school system employees are expected to act in compliance with federal and state laws	Develop policies and procedures that are only focused on compliance with either federal laws or state laws
Provide procedures that address data retention, security of data in transit and at rest as well as access controls for all data, not just data held in technology systems	Ignore protection of data that exists on paper or address only some of the practice requirements
Provide evidence that teachers use the required technology vetting process	Submit the vetting process document as evidence that teachers follow it
Provide examples of training materials that address all federal and applicable state student data privacy laws, as well as your school system's required policies and procedures	Implement training that omits key laws or your school system's expectations for behavior
Demonstrate how your school system leadership communicates why student data are collected, as well as how it is protected	Focus only on how the data are protected, but not explain to the community the benefits of collection

## Communicating Your TLE Seal

Once you've earned the TLE Seal (congratulations!), this is the opportunity to tell your story to parents and other stakeholders in the community. It is a critical exercise to help foster a positive conversation about technology and build trust in your community.



Here's what you can do to communicate your TLE Seal:

### **Issue a press release.**

Informing your accomplishment to local press is a great way to generate positive coverage and recognition of your work. CoSN prepares and sends a national release announcing all TLE Seal recipients. CoSN will also provide a template for a local press release that you should issue to news outlets in your community news outlets.

Be sure to include a brief description of your school system, as well as a meaningful quote reflecting your commitment to ongoing improvement of your governance program. And make sure to provide a key contact and spokesperson available for interested reporters.

### **Promote Your TLE Seal on social media.**

Social media is a powerful modern channel to publicize your work. Post and tweet the Seal (and / or the press release) explaining your efforts and the importance of the Seal.

### **Showcase Your TLE Seal.**

Place the TLE Seal in a prominent place on your school system website, and add the TLE Seal to your school system's email signature. Provide a hyperlink to information about your work to earn the TLE Seal, or to the [TLE Seal Program website](#) to help your community members better understand the Program.

### **Leverage CoSN Resources.**

Take advantage of CoSN's TLE Seal Program presentation, which TLE Seal recipients can customize and use in explaining the Program to community members.

### **Be a privacy champion.**

Join your TLE Seal recipient peers as leaders in your state, and continue to learn from your colleagues in other school systems. Join the TLE Seal Program peer support program, and provide virtual support to other districts across your state and the nation. Stand out as a model for building on a program of robust governance and continuous dedication to protecting the privacy of student data.

Make sure, as a school system leader, you and your colleagues are constantly talking about your privacy efforts, both internally and externally. You need to consistently remind stakeholders about your commitment to truly begin moving the conversation to one of trust.



**Remember: If you are not communicating your privacy commitment, then no one else will.**



For more information about the Trusted Learning Environment Seal Program, visit [TrustedLearning.org](http://TrustedLearning.org) or contact Linnette Attai, Project Director for the TLE Program, at [lattai@cosn.org](mailto:lattai@cosn.org).

There is a nominal administrative fee to complete the application. Discounts are available for school systems that apply together. Click [here](#) to request additional information.

	CoSN Members	Non-Members
Small/medium districts (<10,000 students)	\$100	\$200
Large/mega districts (10,000+ students)	\$200	\$400

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