



Data Security and Privacy Training

Online Educational Services

Online Educational Service Issues

- Districts commonly contract out school functions and utilize online services.
- Traditional Contracts involve a mutually agreed upon set of terms and a signed document between the parties.
- Many online services and mobile apps use a Terms of Service (TOS) agreement that only require a user to click a button to accept (Click-Wrap Agreements).

Contracts

- Contracts should be evaluated for provisions involving security and data stewardship, collection, use, disclosure, destruction, retention and access. Additional key areas are modification, duration, termination, indemnification and warranty.

Click Wrap Agreements

- Terms of Service Agreements should be evaluated for the definition of data, it's use and protections, marketing and advertising, modification of terms of service, data destruction and security controls.
- Also, check amendment provisions, print or save the terms of service, and specify authority to accept the terms of service.

Other Best Practices

- Districts should establish policies and procedures to evaluate and approve proposed educational services, consider whether parental consent is appropriate, and evaluate the use of services on a case by case basis to determine if the requirements of FERPA and other laws are met. Documents from the Privacy and Technical Assistance Center and the Consortium for School Networking are available to assist districts in these areas.

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