

THE REALITIES OF DATA OWNERSHIP

BY DAVID EEDLE

The paramount importance of data security cannot be understated.

International schools must adhere to the governing laws on data security of the country under which they operate. However, some schools may open themselves to risk by employing a set-and-forget approach to their data security and the mechanisms under which their data is stored and exchanged. The European Union's General Data Protection Regulation, which became applicable in 2018, has shown how such changes to the law can have a huge impact on the compliance and governance of international schools – and not just those in Europe, but right across the world.

We can be open and ready for changes to data security laws, but we cannot necessarily anticipate what those changes will be, and when they may happen. What we can do is understand our power and our rights when it comes to the ownership of our data, and not put our head in the sand concerning data vulnerability to exploitation by companies, especially education technology (edtech) companies, in which we may blindly place our trust.

When asked if they own their data, most international schools would likely answer with a resounding 'yes'. But, as technology evolves, and companies come up with new and innovative ways to monetise their intellectual property, schools need to understand what data ownership means in today's climate. By being aware of the loopholes and asking the right questions, international schools can protect data ownership from those who may be looking to use it for their own profit.

OWNERSHIP AND ACCESS

At a time when the importance of statistics and analytics cannot be understated, ownership means access and, just like knowledge, ownership means power. So, regardless of what any organisation may tell you, it is imperative that your school owns its data. To ensure this, there are a number of areas that schools need to familiarise themselves with when it comes to their technology to be able to confidently answer the question about who owns their student and community data. Some edtech products currently being used by schools make it extremely difficult for the school to access what is rightfully theirs. Here's an example of what we experienced as a company:

EdSmart had a relationship with a school in New York that used an American student management database platform. We wanted to gain programming access to run reports and communicate messages from our EdSmart School Organisation System. This company sent us their 'partner program documentation'. It was going to cost us US\$20,000 a year to partner with them, and they wanted 15% of our gross turnover from the school. We were merely asking for access to data that the school rightfully owned – and that the school wanted them to provide to us.

To profit from providing access to a customer's data is clearly unconscionable but, in effect, something the school had unwittingly agreed to when establishing a formal contract with this company. Sadly, far from this example being a one-off, the practice is widespread, and is something that international schools should question before settling on any edtech partner.



SCHOOLS NEED TO UNDERSTAND THEIR POWER AND THEIR RIGHTS WHEN IT COMES TO THE OWNERSHIP OF THEIR DATA.



WHAT STEPS TO TAKE?

Each international school will have its own data requirements that are dependent on both the school and also the laws of the country under which it operates. As well as performing due diligence on any organisation you consider partnering with, every international school should know where it stands in relation to ownership of its student data. Before signing any agreement with an edtech provider, make sure you ask the right questions:

- > How can the data be accessed? As part of this, you also need to ask: is there an application programming interface (API) key? Are we able to run reports? How can we utilise and manipulate the data? Too often, developers make it very difficult for an international school to access its own data.

Access to one's data is not only important; it is necessary and part of a school's right.

- > What security precautions have been put into place? Make sure your edtech provider takes the necessary precautions to ensure your international school data is safe, preferably using the services of an external provider for penetration testing.

The importance of owning your data cannot be understated, and knowing how to ensure you have control and ownership is essential. Remember, the data is yours to use and protect, and no organisation should tell you otherwise.



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