Education Data Governance in the Mountain State

2015 Annual Report from the West Virginia Department of Education

The West Virginia Department of Education (WVDE) consistently works to ensure **quality, relevance, utility, and security** in our educational data systems, processes, and information. The department is pleased to report activities and achievements during 2015.

Data Governance in West Virginia

Data governance encompasses all the processes, rules, and systems relating to the quality, collection, management, and protection of students' information. Through systematic governance, we can ensure that we have a credible and reliable source of information about educational performance and progress in the Mountain State. The WVDE continues to **support and expand data governance efforts** to ensure that the state's education data are high-quality, timely, useful, and secure.

- Data governance committees and teams met regularly throughout the year to address specific issues, offer advice and guidance, discuss data-related needs, and plan for the future.
    - » Data Policy Committee meetings: February, August, and December
    - » Data Governance Committee meetings: February, April, June, July, August, September, October, November
    - » Data Steward meetings and Task Teams: January, June, and throughout the year as needed
- The WVDE Data Governance staff and Data Governance Committee reviewed the composition of the governance bodies and recommended strategies for refreshing the memberships to ensure that all stakeholders are well represented.
- Staffing changes within the department resulted in the designation of a new Data Governance Manager and a new Data Governance Specialist during the year.
- The Research Review Committee considered proposals from external researchers and recommended approval or rejection based on merit and security assurances.
- The *Institutional Review Board* continued ensuring the protection of individuals participating in studies and evaluations sponsored by the WVDE.
- Data security agreements and confidentiality assurances from WVDE staff and partners were routinely collected from those with legitimate needs to access data.
- Data Governance and Data Management and Analysis staff instituted regular collaborative meetings to ensure quality, timeliness, and accuracy in WVDE's data applications, services, support, and reports.
- The WVDE instituted a cross-office team including representatives from human resources, technology and network infrastructure, data management, and data governance to plan comprehensively for information security and personal privacy protections for students, educators, and WVDE staff.
- WVDE staff developed a comprehensive set of standards for data collection and reporting to ensure quality, accuracy, and security throughout the data lifecycle.
- The Data Governance Manager attended Privacy. Security. Risk. 2015, an international conference hosted by the *International Association of Privacy Professionals* and the *Cloud Security Alliance* to build greater awareness and knowledge of national and international best practices in privacy and data security.
- The Data Governance team began publishing the *Data Squad Newsletter* to provide information, updates, and advice to the education community in the state.

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Better Tools, Better Data, Better Decisions

To improve the quality of the data available to our stakeholders, WVDE made changes to the ways in which local staff enter and certify data. The ultimate goal of these efforts is to ensure that educators, parents, students, and other stakeholders have **high-quality information to guide decisions about student achievement**.

In an attempt to phase out antiquated "green screen" data entry processes, applications which are not always up-to-date with business rules, staff reviewed data system applications and began the process of prioritizing transitions to the WVEIS on the Web (WOW) environment. Due to its critical importance in ensuring accurate data for funding and reporting purposes, the first application to be marked for transition was the student enrollment application. Although the "green screen" enrollment data entry process was reopened to alleviate unforeseen challenges during the transition, the experience yielded long-term benefits, including the identification of technical issues not previously known, implementation of critical solutions, and improved data quality.

WVDE staff also implemented new data quality checks, edits, and audits through multiple data tools to make errors more visible and promote improved accuracy.

Promoting and Protecting Student Privacy

The security of our students' data and the protection of their privacy are crucial concerns in the work of the department and our districts and schools across the state. During 2015, WVDE staff made several changes and improvements in policy and process to promote improved privacy protections for students.

- Data Governance staff developed a **Privacy Incident Response Plan** and shared the document with the Data Governance Committee for review and feedback. WVDE staff are ready to follow the protocol should an incident arise.
- Data Governance staff, in partnership with staff across the department, continued to work toward the development of a comprehensive, formal privacy management plan based on West Virginia Board of Education policy and best practices in privacy and information security.
- Data Management and Analysis staff, with assistance from district representatives, developed the framework and beta-test sites for an improved mechanism to access data system applications securely. The Portal will launch in summer 2016.
- WVDE implemented a requirement that data system users periodically review, acknowledge, and accept their responsibilities for protecting student privacy.

You are currently identified by your district LDS Administrator as an authorized user of WVEIS. Users of WVEIS have access to confidential information about students. Protecting student privacy is required by law and is the highest priority of the WVDE.

To protect the privacy of students, users are required to agree to each of the statements below.

- I will respect and safeguard the privacy of students and the confidentiality of student data.
- I will comply with state and federal privacy laws and all district regulations, policies, and procedures established to maintain the confidentiality of student data.
- I will not disclose or transmit any data to persons not specifically authorized access to these data.
- I will use the data for legitimate educational purposes only as necessary to perform my assigned tasks.
- I understand that my password is as important as my signature. It is my obligation to keep my password confidential. I will not share my password with anyone.
- I will not use other users' login names or passwords.
- I understand my obligation and will comply with all requirements, state and federal, to protect the confidentiality of the student data that I will be accessing.

WOW users must now regularly acknowledge and accept their responsibilities to protect student data when they access the data system

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DATA PRIVACY DAY

CHAMPION

- WVBE **Policy 4350**, *Procedures for the Collection, Maintenance and Disclosure of Student Data*, was updated in early 2015 to clarify stakeholders' responsibilities and to account for requirements of the Student Data Accessibility, Transparency, and Accountability Act (Student DATA Act, *W. Va. Code §18-2-5h*). The revisions were opened to public comment beginning in January 2015. Following review of the comments received, the WVBE approved the revisions on March 11, 2015, and the revised policy became effective on April 13, 2015.
- WVDE was proud to serve as a *Data Privacy Day Champion* in 2015, publicly emphasizing the department's commitment to "respect privacy, safeguard data, and enable trust" for our stakeholders—most importantly, students and families. As part of the effort, Data Governance staff hosted a Data Privacy Day open house for WVDE colleagues to provide information, answer questions, and promote greater awareness of requirements and best practices for protecting privacy.
- Following recommendations from an FBI security audit of our teacher certification databases, which also included a limited focus on the network, WVDE updated password practices, including changing complexity rules and requiring a reset every 30 days, and automatic screen locking after 5 minutes of inactivity.

WVDE staff continue to provide privacy-related training and awareness sessions for educators and administrators throughout the state as well as for colleagues within the WVDE. Reminders and advice are also provided regularly through communications like the weekly Superintendent's Update and the quarterly Data Squad Newsletter.

Empowering Students to Stay Safe

WVDE supports districts in providing **cybersafety education and training** to students and teachers. Every school in West Virginia and more than 3,650 individual educators are registered with *Common Sense Media*, a non-profit organization that provides unbiased, research-based tools, resources, and advice to help students and teachers learn to use media and technology safely and effectively. Since the start of 2014-2015 school year and through December 2015, more than 4,200 students received direct training in cybersafety from Common Sense Media. Another 3,470 students attended digitally certified schools during the same time frame. As of October 2015, more than 15% of West Virginia students completed a *Digital Passport*, which uses web-based games to teach digital skills, safety, and citizenship. The Mountain State's completion rate is **second highest in the nation**, behind Maine with a 16% completion rate.

New Student Data Elements

To improve the state's compliance with federal reporting requirements, WVDE proposed the collection of one new student data element in 2015: **student country of birth**. The proposal was developed in response to an identified need to more accurately identify students' immigrant status for the purposes of reporting and grant funding determinations. After a preliminary review and a 60-day public comment period (from August 18 to October 19), the WVBE reviewed the final proposal and approved collection of the new data element. WVDE will work with districts and schools throughout the 2016-2017 school year to move toward full implementation.

Privacy & Security Incidents

WVDE takes seriously the responsibility of preventing privacy incidents and managing them immediately should they occur. WVDE aims to maintain the excellent track record of safety and security the department has accrued over 25 years of maintaining a statewide student data system through *WVEIS*.

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In 2015, WVDE had **no suspected or confirmed exposures of student data** from WVEIS or ZoomWV from external attacks, leaks, or as a result of WVDE staff actions.

At the beginning of the assessment window in the spring of 2015, the department experienced *denial-of-service (DoS) attacks* on our internet network. At least one student was involved in the incident by contacting an individual in a foreign country to launch the attacks. WVDE staff became aware of the problem quickly, and worked to resolve it as quickly and comprehensively as possible. Because of the nature of the incident, the Federal Bureau of Investigations was involved in a subsequent investigation. Data in the data system were not at risk during the DoS incidents; these incidents were designed to hinder internet access, not to gain entry into the data system or other network resources. As a result of the incident, the department **implemented new security measures**, including enhanced firewalls that could handle more internet traffic, to limit the potential impact of similar future events.

@Districts and Schools

WVDE stands **ready to assist districts and schools** that may experience privacy and security incidents. During 2015, the department developed a reporting mechanism for local educators to report when they have experienced a privacy incident or data breach. Districts reported no breaches of the student data system (WVEIS) during the year. Data Governance staff are available to **provide support and guidance** to district leaders, as needed, to ensure adequate and comprehensive response at the local level. Data Governance staff also **reach out** to districts and schools when incidents are reported by other stakeholders to provide direction and corrective advice. Through various communications, WVDE provides continuing guidance about how best to use state-supported tools and how to avoid taking risks with student information.

@Contractors and Partners

The *Dynamic Learning Maps (DLM)* team at the University of Kansas, a vendor that we and other states use to administer the alternate summative assessment, made a change in the settings of the online data request system that introduced a weakness whereby educators may have received test results for students in other schools. In West Virginia, six users of the system were affected by the incident and received information for students not in their schools. Information about West Virginia students was not disclosed to users in other states at any time. WVDE staff worked closely with DLM staff to understand the magnitude of the incident, monitor progress as technical corrections were implemented, and provide feedback about the notification and mitigation process.

## Parent Concerns and Complaints

In 2015, WVDE launched a *process* whereby parents, students, and other community members may inform the department about suspected or confirmed privacy incidents and violations. The Data Governance team **received complaints from two parents** during the year. Interoffice teams composed of staff with relevant expertise reviewed each complaint, investigated, and discussed whether or not any breach of privacy or confidentiality occurred. In both cases, the teams determined that **there had been no privacy breaches at the school, district, or state level**.

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Looking Forward
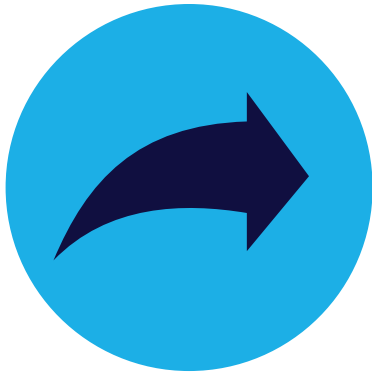
In 2016 and beyond, WVDE looks forward to building on successes and finding solutions for challenges as we plan for improving our governance practices, policies, and guidance. WVDE will continue to promote best practices with respect to privacy, data security, and data quality in our interactions with internal and external stakeholders.

In the coming year, WVDE will:
- finalize the formal privacy management program documentation and disseminate it to stakeholders
- disseminate the new data collection and reporting standards to RESAs, districts, and schools throughout the state
- review high-priority policies and practices and recommend updates and revisions to account for best practices and new developments in data governance
- collaborate with district representatives to create privacy toolkits with information and resources for districts and schools to use
- continue serving as a Data Privacy Day Champion and encourage other state and local education agencies to become involved in the movement
- conduct security audits of data systems
- continue promoting privacy and security to protect West Virginia's school children

WVDE's Data Governance Team

For more information about data governance and privacy work at WVDE, please contact the Data Governance Manager or any member of the Data Governance team.

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