**Title**
Privacy, Policy, and Data Governance in the University



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# Privacy, Policy, and Data Governance in the University


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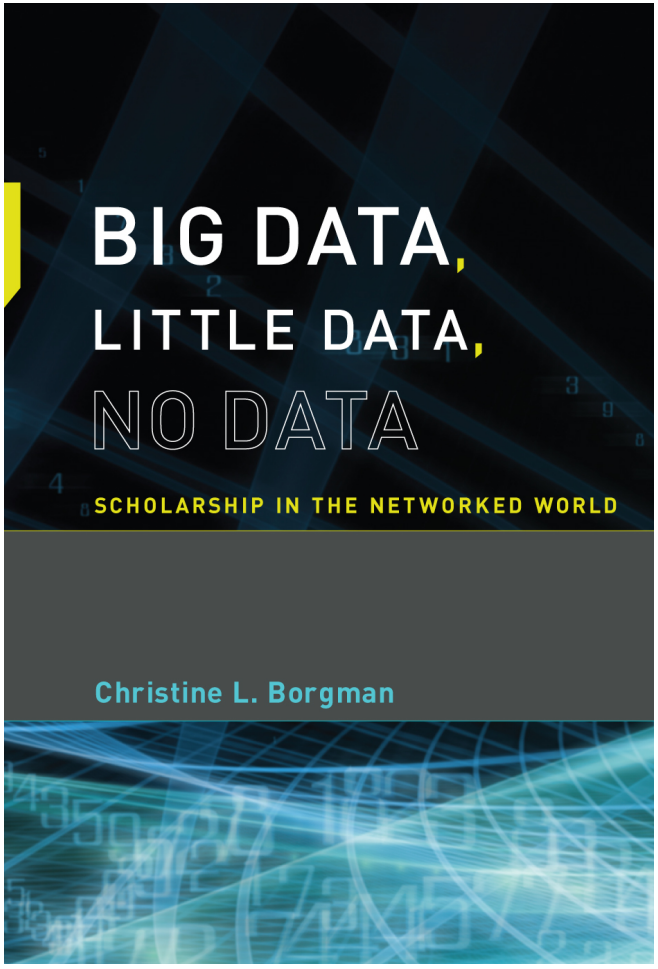


Privacy Implications of Research Data

NISO – RDA Joint Interest Group

September 11, 2016

# Open access policies

- Australian Research Council
  - Code for the Responsible Conduct of Research
  - Data management plans
- National Science Foundation
  - Data sharing requirements
  - Data management plans
- U.S. Federal policy
  - Open access to publications
  - Open access to data
- European Union
  - European Open Data Challenge
  - OpenAIRE
- Research Councils of the UK
  - Open access publishing
  - Provisions for access to data

Australian Government
National Health and Medical Research Council

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WHERE DISCOVERIES BEGIN

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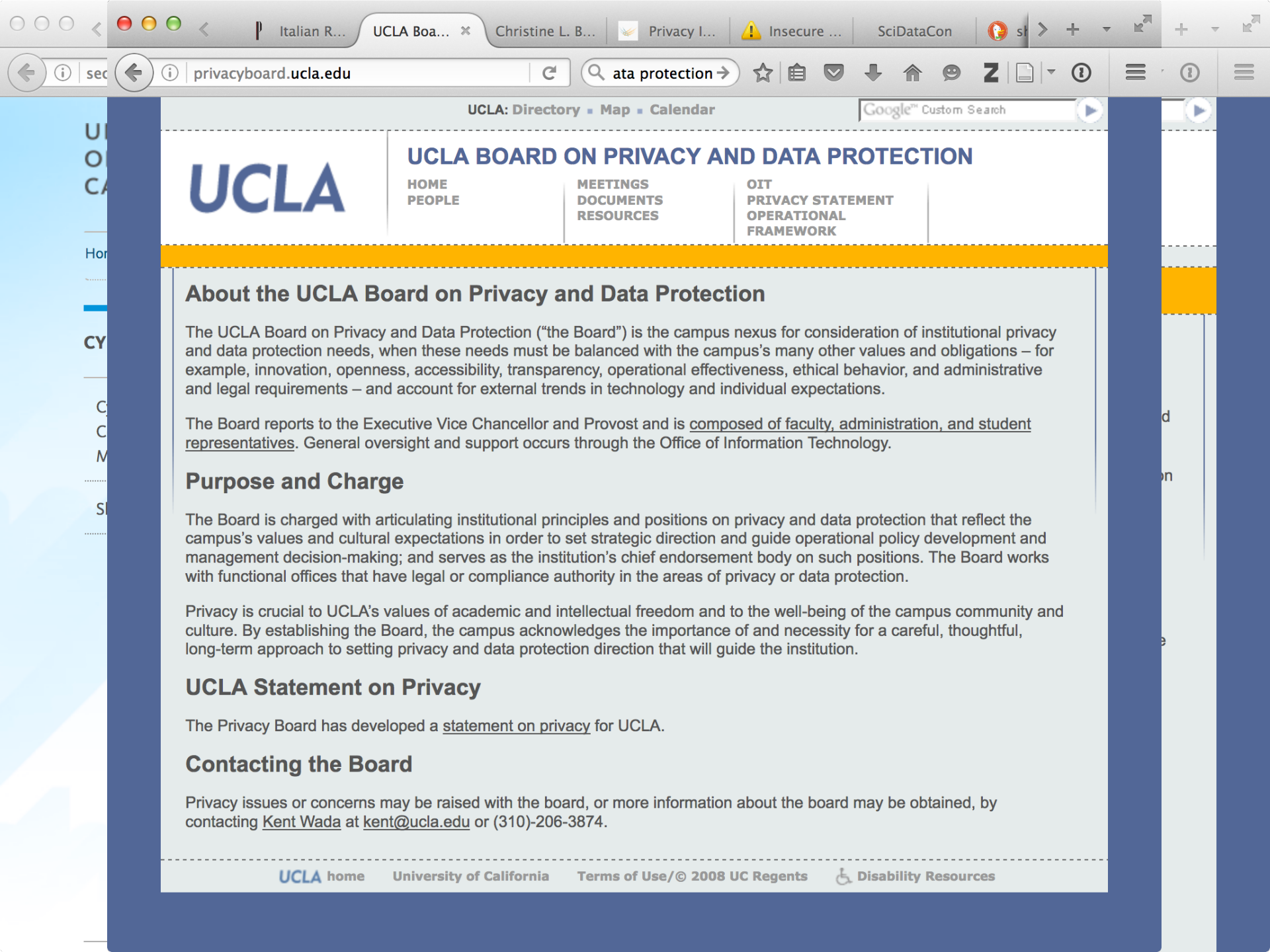
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PRIVACY STATEMENT
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About the UCLA Board on Privacy and Data Protection
The UCLA Board on Privacy and Data Protection ("the Board") is the campus nexus for consideration of institutional privacy and data protection needs, when these needs must be balanced with the campus's many other values and obligations – for example, innovation, openness, accessibility, transparency, operational effectiveness, ethical behavior, and administrative and legal requirements – and account for external trends in technology and individual expectations.
The Board reports to the Executive Vice Chancellor and Provost and is composed of faculty, administration, and student representatives. General oversight and support occurs through the Office of Information Technology.
Purpose and Charge
The Board is charged with articulating institutional principles and positions on privacy and data protection that reflect the campus's values and cultural expectations in order to set strategic direction and guide operational policy development and management decision-making; and serves as the institution's chief endorsement body on such positions. The Board works with functional offices that have legal or compliance authority in the areas of privacy or data protection.
Privacy is crucial to UCLA's values of academic and intellectual freedom and to the well-being of the campus community and culture. By establishing the Board, the campus acknowledges the importance of and necessity for a careful, thoughtful, long-term approach to setting privacy and data protection direction that will guide the institution.
UCLA Statement on Privacy
The Privacy Board has developed a statement on privacy for UCLA.
Contacting the Board
Privacy issues or concerns may be raised with the board, or more information about the board may be obtained, by contacting Kent Wada at kent@ucla.edu or (310)-206-3874.
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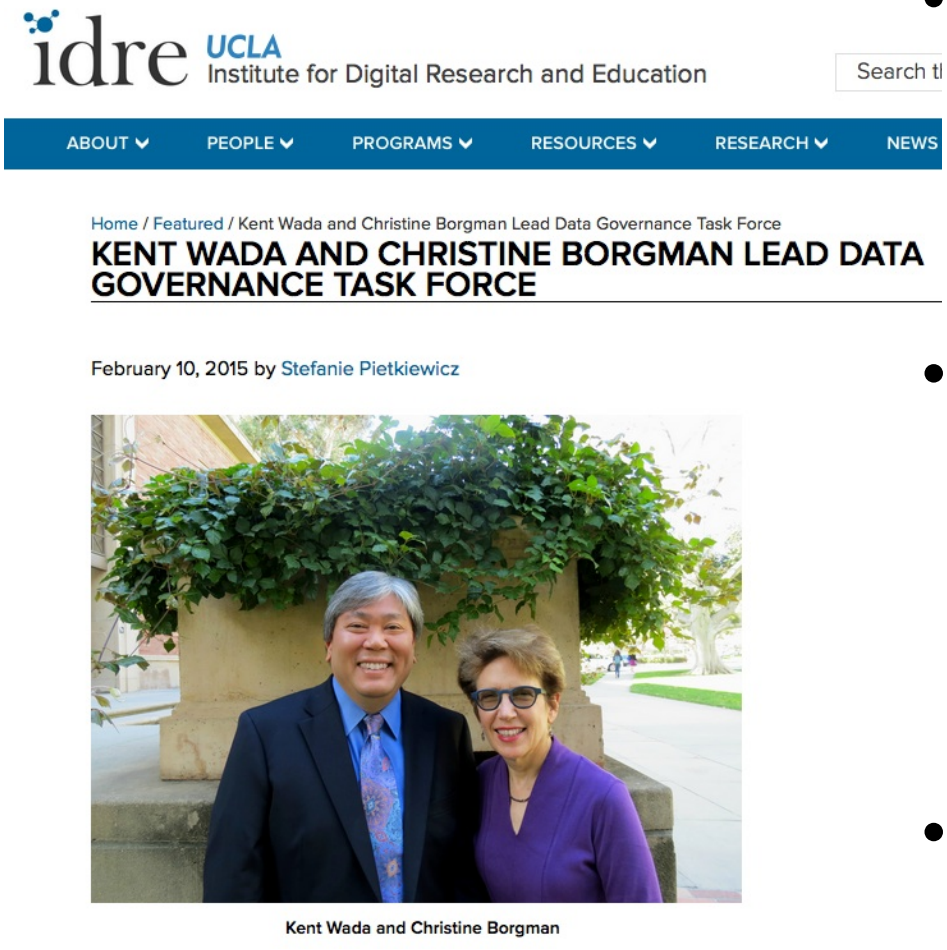
Disability Resources




Data Governance Task Force Site:
https://ccle.ucla.edu/course/view/datagov

- How should UCLA collect, organize, and use research analytics about our community?
- Who should have access to these data?
  - Within UCLA?
  - In partnership with public and private entities?
- What are the governance principles?
- What are the governance processes?

# UCLA Data Governance Task Force*

| Faculty | Staff |
|---|---|
| Christine Borgman, Co-Chair, Information Studies | Kent Wada, Co-Chair, Chief Privacy Officer |
| Christina Christie, Education, IRB | Amy Blum, Senior Campus Counsel |
| Vickie Mays, Psychology, Health | Meg Buzzi, Academic Personnel System |
| Neil Wenger, Medicine, Ethics | Mike Lee, Social Science Computing |
| | Kristen McKinney, Student Affairs Info System |
| **Anna Joyce, Policy Analyst, Staff to the Task Force* | Kelly Wahl, Statistical Analysis, Academic Planning & Budget |

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# Data collected *by* our community

- Data types
  - Research data
  - Analytics for teaching and learning
  - Evaluation of individuals, programs, services
- Policy and management responses
  - Mandates of funders and journals
  - Research data management services
  - Release and retention practices
  - Laws and policies
    - Human subjects regulations
    - Open records laws
    - HIPAA, FERPA, PII…

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# Data collected *about* our community

- Student records
  - Registrar
  - Course management systems
  - ID card based services: library, dorms, food, health…
  - Internet services: email, social media, music, …
- Faculty records
  - Publications
  - Grants
  - Teaching evaluations
  - Service activities
  - Financial, medical
  - Internet services

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# Data governance scenarios

- Student records
- Faculty records

http://www.rrcc.edu/sites/default/files/studentRecords_Banner.jpg

# Student records

- What does the university collect?
- What can other entities collect?
- Who has access to these records?
- What uses might be made of these records?
- How should use by governed?

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On 1-4 June, 2014, a group of educators, scientists, and legal/ethical scholars assembled at the Asilomar Conference Grounds in Pacific Grove, California. Their task was to develop a framework to inform decisions about appropriate use of data and technology in learning research for higher education. A modified Chatham House Rule guided their deliberations, which produced the convention presented here.

This convention reflects general principles rather than the views of individual participants.

# The Asilomar Convention for Learning Research in Higher Education

Individuals, nations, and international agencies of all kinds increasingly rely on the promise of education to improve the human condition. Contemporary technology has created unprecedented opportunities to create radical improvements in learning and educational achievement, but also conditions under which information about learners is collected continuously and often invisibly. For these reasons, collection and aggregation of evidence to pursue learning research must proceed in ways that respect the privacy, dignity, and discretion of learners.

Virtually all modern societies have strong traditions for protecting individuals in their interactions with large organizations, especially for purposes of scientific research, yet digital media present problems for the inheritors of those traditions. Norms of individual consent, privacy, and autonomy, for example, must be more vigilantly protected as the environments in which their holders reside are transformed by technology. Because the risks associated with data exposure are growing

# Student Privacy Bill of Rights

News

In a March 2014 Washington Post article, EPIC unveiled the Student Privacy Bill of Rights, an enforceable student privacy and data security framework.

In line with the President's Consumer Privacy Bill of Rights, which is based largely based on the well-established Fair Information Practices (FIPs), schools, districts, and EdTech and other cloud-based service providers should adhere to the following practices when collecting student data. These rights should transfer from parents or legal guardians to students once the student is eighteen or attending college.

1. Access and Amendment: Students have the right to access and amend their erroneous, misleading, or otherwise inappropriate records, regardless of who collects or maintains the information.

    - There are gaps in current laws and proposed frameworks concerning students' access and amendment to their data. Schools, companies, government agencies, and other entities that collect any student information should provide student access to this information. This includes access to any automated decision-making rule-based systems (i.e, personalized learning algorithms) and behavioral information.

# Faculty records

- What does the university collect?
- What can other entities collect?
- Who has access to these records?
- What uses might be made of these records?
- How should use by governed?

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# Bibliometrics, Scientometrics, Informetrics, Webometrics…



data—associating stored genes with nonidentifying numbers—to protect privacy.[19] Other guidelines recommend anonymization in contexts such as electronic commerce,[20] internet service provision,[21] data mining,[22] and national security data sharing.[23] Academic researchers rely heavily on anonymization to protect human research subjects, and their research guidelines recommend anonymization generally,[24] and specifically in education,[25] computer network monitoring,[26] and health studies.[27] Professional statisticians are duty-bound to anonymize data as a matter of professional ethics.[28]

Market pressures sometimes compel businesses to anonymize data. For example, companies like mint.com and wesabe.com provide web-based personal finance tracking and planning.[29] One way these companies add value is by aggregating and republishing data to help their customers compare their spending with that of similarly situated people.[30] To make customers comfortable with this type of data sharing, both mint.com and wesabe.com promise to anonymize data before sharing it.[31]

Architecture, defined in Lessig's sense as technological constraints,[32] often forces anonymization, or at least makes anonymization the default choice. As one example, whenever you visit a website, the distant computer with which you communicate—also known as the web server—records some information

19. Roberto Andorno, *Population Genetic Databases: A New Challenge to Human Rights*, in ETHICS AND LAW OF INTELLECTUAL PROPERTY 39 (Christian Lenk, Nils Hoppe & Roberto Andorno eds., 2007).
20. ALEX BERSON & LARRY DUBOV, MASTER DATA MANAGEMENT AND CUSTOMER DATA INTEGRATION FOR A GLOBAL ENTERPRISE 338–39 (2007).
21. *See infra* Part II.A.3.b.
22. G.K. GUPTA, INTRODUCTION TO DATA MINING WITH CASE STUDIES 432 (2006).
23. MARKLE FOUND. TASK FORCE, CREATING A TRUSTED NETWORK FOR HOMELAND SECURITY 144 (2003), *available at* http://www.markle.org/downloadable_assets/nstf_report2_full_report.pdf.
24. *See* THE SAGE ENCYCLOPEDIA OF QUALITATIVE RESEARCH METHODS 196 (Lisa M. Given ed., 2008) (entry for "Data Security").
25. LOUIS COHEN ET AL., RESEARCH METHODS IN EDUCATION 189 (2003).
26. *See* Ruoming Pang et al., *The Devil and Packet Trace Anonymization*, 36 COMP. COMM. REV. 29 (2006).
27. INST. OF MED., PROTECTING DATA PRIVACY IN HEALTH SERVICES RESEARCH 178 (2000).
28. European Union Article 29 Data Protection Working Party, *Opinion 4/2007 on the Concept of Personal Data*, 01248/07/EN WP 136, at 21 (June 20, 2007) [hereinafter 2007 Working Party Opinion], *available at* http://ec.europa.eu/justice_home/fsj/privacy/docs/wpdocs/2007/wp136_en.pdf.
29. *See* Eric Benderoff, *Spend and Save the Social Way—Personal Technology*, SEATTLE TIMES, Nov. 8, 2008, at A9.
30. *See* Carolyn Y. Johnson, *Online Social Networking Meets Personal Finance*, N.Y. TIMES, Aug. 7, 2007, *available at* http://www.nytimes.com/2007/08/07/technology/07iht-debt.1.7013213.html.
31. *See, e.g.*, Wesabe, Security and Privacy, http://www.wesabe.com/page/security (last visited June 12, 2010); Mint.com, How Mint Personal Finance Management Protects Your Financial Safety, http://www.mint.com/privacy (last visited June 12, 2010).
32. LESSIG, *supra* note 18, at 4.

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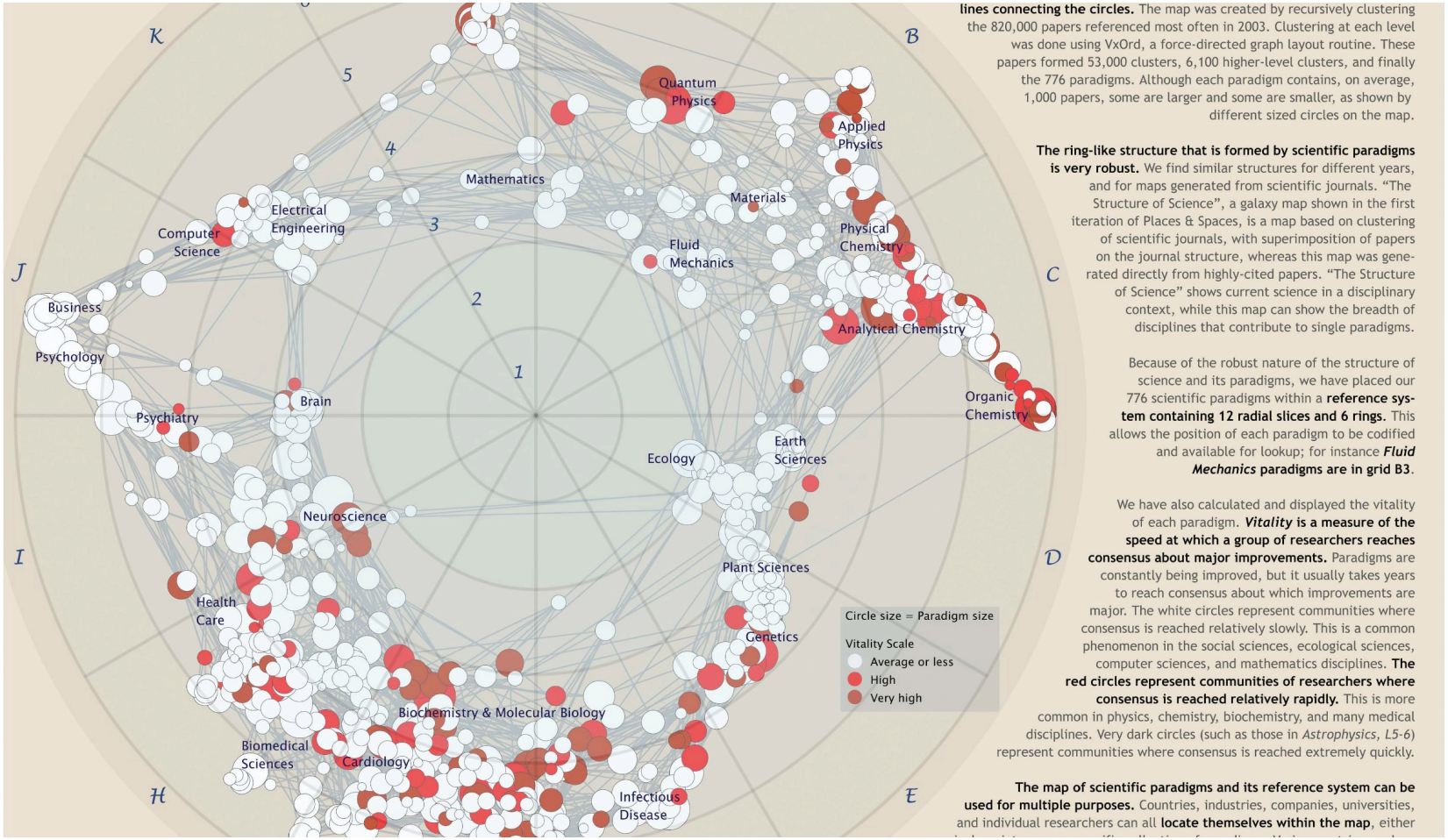
# Mapping Scholarship




**lines connecting the circles.** The map was created by recursively clustering the 820,000 papers referenced most often in 2003. Clustering at each level was done using VxOrd, a force-directed graph layout routine. These papers formed 53,000 clusters, 6,100 higher-level clusters, and finally the 776 paradigms. Although each paradigm contains, on average, 1,000 papers, some are larger and some are smaller, as shown by different sized circles on the map.

**The ring-like structure that is formed by scientific paradigms is very robust.** We find similar structures for different years, and for maps generated from scientific journals. "The Structure of Science", a galaxy map shown in the first iteration of Places & Spaces, is a map based on clustering of scientific journals, with superimposition of papers on the journal structure, whereas this map was generated directly from highly-cited papers. "The Structure of Science" shows current science in a disciplinary context, while this map can show the breadth of disciplines that contribute to single paradigms.

Because of the robust nature of the structure of science and its paradigms, we have placed our 776 scientific paradigms within a **reference system containing 12 radial slices and 6 rings.** This allows the position of each paradigm to be codified and available for lookup; for instance ***Fluid Mechanics* paradigms are in grid B3**.

We have also calculated and displayed the vitality of each paradigm. ***Vitality* is a measure of the speed at which a group of researchers reaches consensus about major improvements.** Paradigms are constantly being improved, but it usually takes years to reach consensus about which improvements are major. The white circles represent communities where consensus is reached relatively slowly. This is a common phenomenon in the social sciences, ecological sciences, computer sciences, and mathematics disciplines. **The red circles represent communities of researchers where consensus is reached relatively rapidly.** This is more common in physics, chemistry, biochemistry, and many medical disciplines. Very dark circles (such as those in *Astrophysics*, *L5-6*) represent communities where consensus is reached extremely quickly.

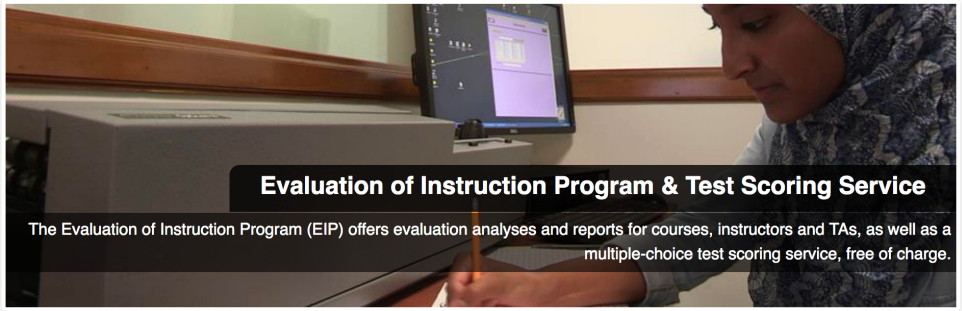
**The map of scientific paradigms and its reference system can be used for multiple purposes.** Countries, industries, companies, universities, and individual researchers can all **locate themselves within the map**, either

Börner, K. (2010). *Atlas of Science: Visualizing What We Know*. Cambridge, Mass: The MIT Press.

# UCLA Undergraduate Education

## Office of Instructional Development



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EIP Test Scoring Service

Online Course Development

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CCLE
COMMON COLLABORATION & LEARNING ENVIRONMENT

The UCLA Office of Instructional Development (OID) draws on our wide range of expertise to achieve one goal - to realize our faculty's instructional vision. Whether it is facilitating an innovative teaching method, implementing an emerging instructional methodology and technology, developing an effective assessment tool, or tackling your instructional challenges, our staff is ready to work with you to reach your goals. Contact us at 310-825-9149 and let us know how we can help.

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**Director, Survey Research and Curricular Assessment**

# Bibliometrics by Source

**Searches for author: Christine Borgman, Christine L. Borgman, CL Borgman (excluding other C Borgman authors) on July 28, 2014 and February 25, 2016 for Google Scholar, Web of Science, Scopus**
***UCLA cancelled Scopus subscription by 2016***

| Source | Publications | | Citations received | | H-index | |
|---|---|---|---|---|---|---|
| | 2014 | 2016 | 2014 | 2016 | 2014 | 2016 |
| Google Scholar (Google) | 380 | 443 | 7766 | 9701 | 39 | 43 |
| Web of Science (Thomson-Reuters) | 145 | 150 | 1629 | 1967 | 20 | 23 |
| *Scopus – July 2014 (Elsevier)* | *77* | | *1314* | | *14 (after 1995)* | |

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ADS




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## Michael F Fleming

5.0
Overall rating

CLASSES

| | | |
|---|---|---|
| URBN PL M287 | Nonprofit Sector, State and Civil Society | N/A Overall rating |
| SOC WLF M290S | Nonprofit Sector, State and Civil Society | N/A Overall rating |
| PUB PLC M227 | Nonprofit Sector, State and Civil Society | N/A Overall rating |

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## Dounia Fourneau

5.0
Overall rating

CLASSES

| | | |
|---|---|---|
| FRNCH 2 | Elementary French | 5.0 Overall rating |

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## Geoffrey Andrew Fricker

5.0
Overall rating

CLASSES

| | | |
|---|---|---|
| GEOG 5 | People and the Earth's Ecosystems | 5.0 Overall rating |
| GEOG 1 | Earth's Physical Environment | 5.0 Overall rating |
| GEOG M107 | Soil and Water Conservation | N/A Overall rating |

See More >

# Recommendation 1: Scope

- The scope of data to be governed includes:
  - Data the campus *possesses* about any UCLA person; i.e., staff, faculty, students
  - Data that are *identifiable* by name or that can easily be linked to a person
  - Data that the campus *possesses on any person* that was generated during the scope of the person's business with the University, including data that were sent to someone at the University
- The scope of data to be governed excludes:
  - Research data under the purview of *IRB regulations*
  - Protected Health Information (PHI) governed by *HIPAA*, or individually identifiable health information in campus student healthcare facilities

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# Recommendation 2: Inventory

- Extend data management work already undertaken by campus to include data that are in the stated scope of data governance.

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# Recommendation 3: Best practices

- Build upon established fair information practices principles for privacy and extend these principles to account for appropriate uses of the data as technology, practice, and policy evolve.

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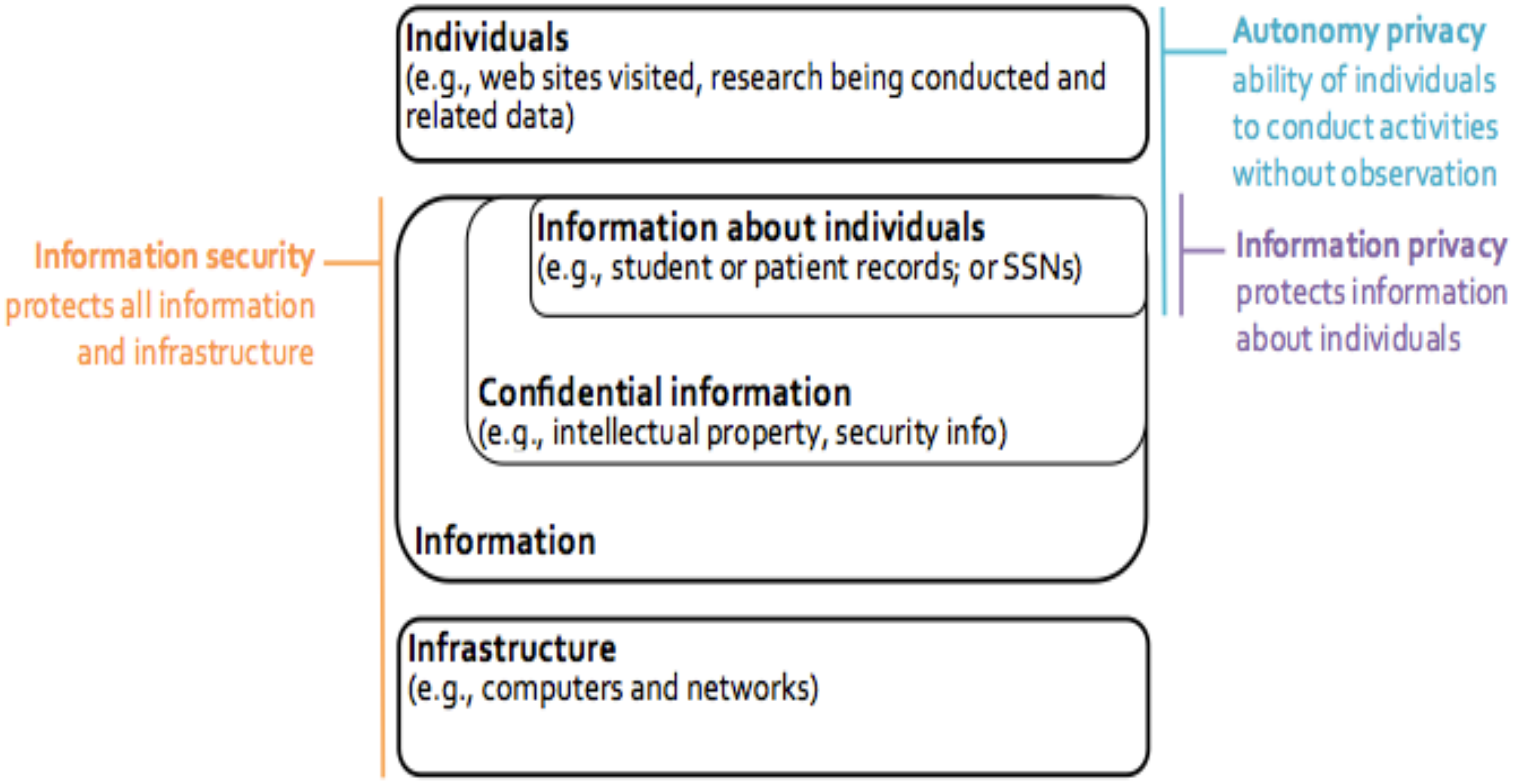
# Privacy and Information Security




University of California Privacy and Information Security Committee

http://ucop.edu/privacy-initiative/

# Triggers for review

- When data are used to make decisions about people
- When data are collected about people without their knowledge or consent
- When data about people are used in unexpected ways without subjects' knowledge or consent
  - New applications of data or systems
  - Mining, analysis, and aggregation
- When data are shared with external entities
  - Private sector partners
  - Public sector partners
  - Other universitie

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# Recommendation 4: Existing structures

- Extend existing structures and practices for governing information technology at UCLA to the operational framework for data governance.

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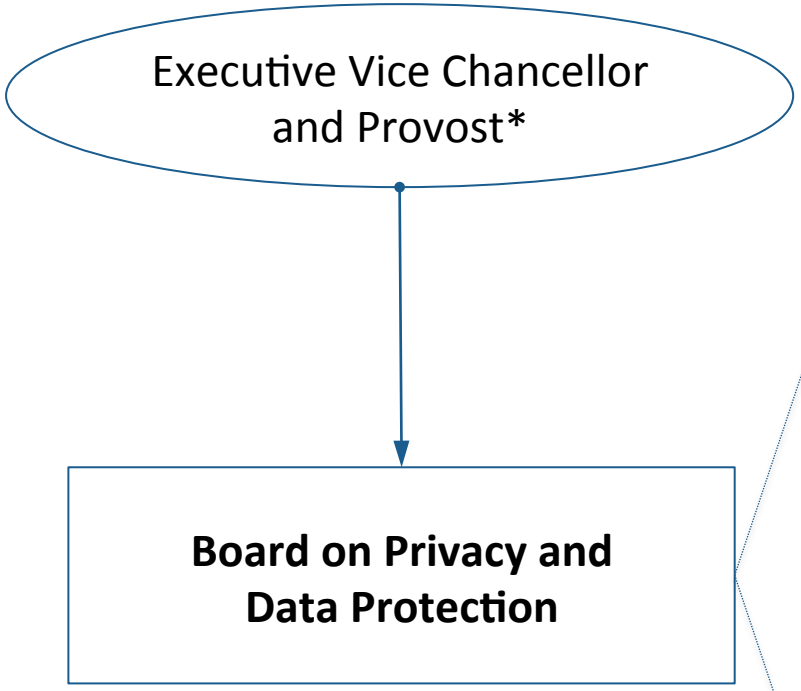


Voting members

- *Faculty Chair – Appointed by EVC + Senate*
- *Administrative Vice Chair – Vice Provost, IT*
- 6 faculty members
- 6 administrative members
- 1 undergraduate student representative
- 1 graduate student representative

Non-voting members

- *UCLA Chief Privacy Officer*
- Chief Information Security Officer
- Designee of the EVC and Provost
- Designee from Audit & Advisory Services

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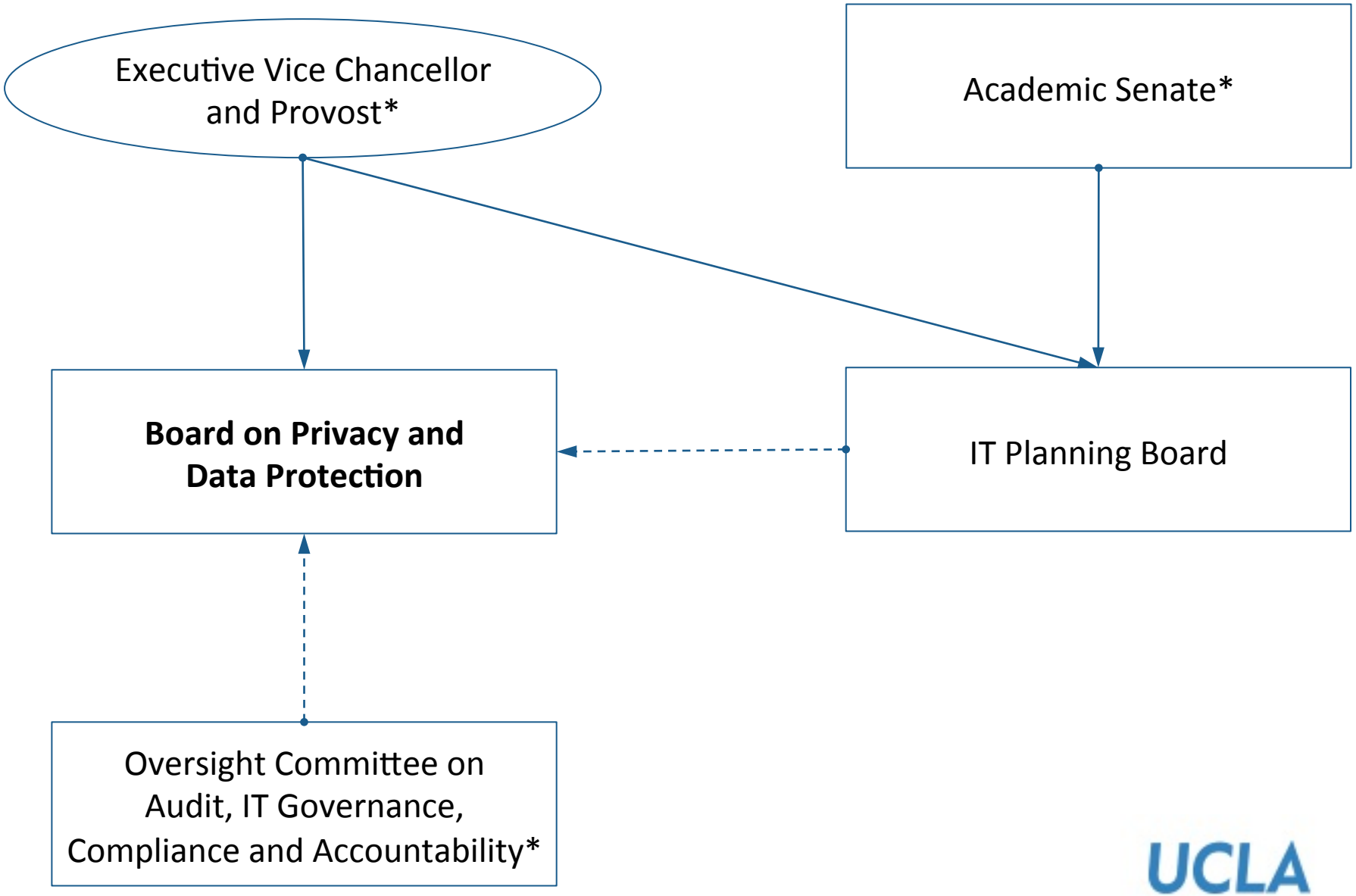
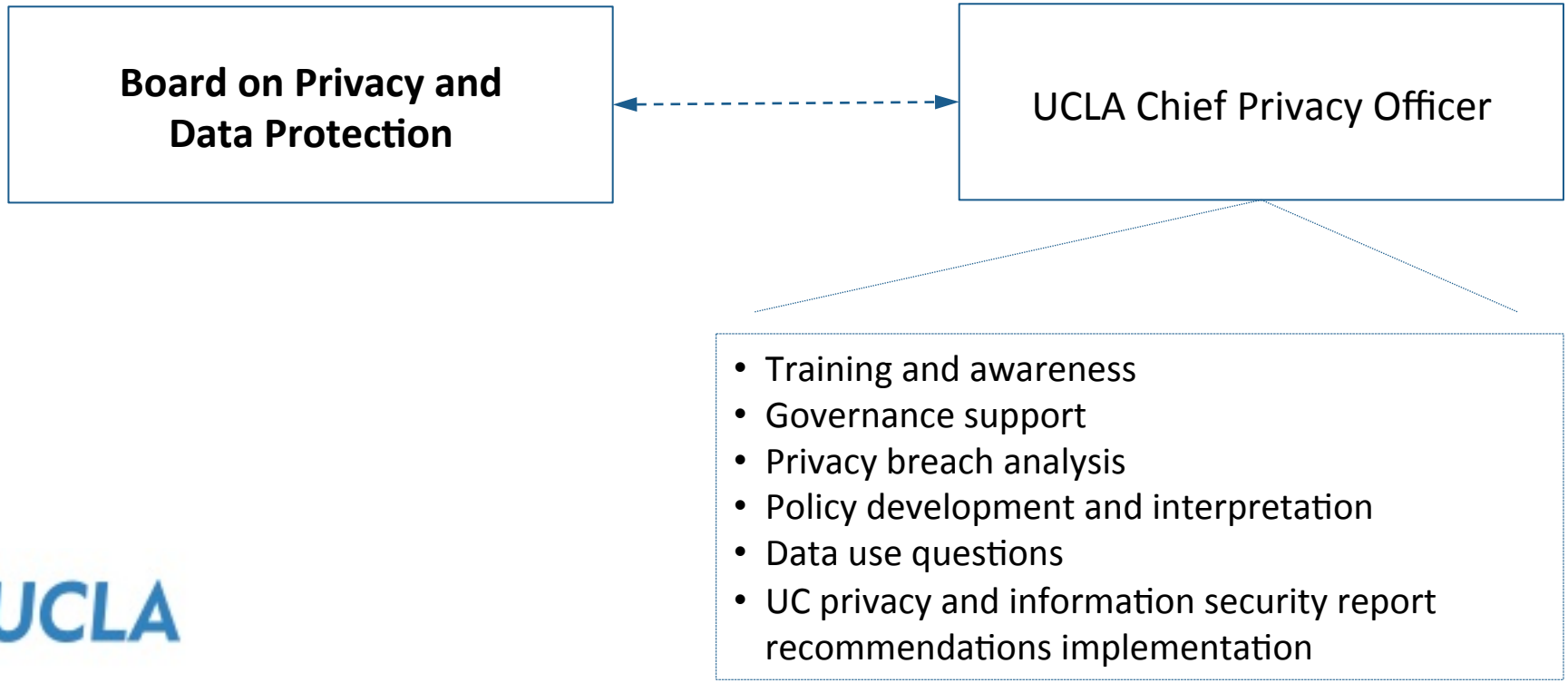
* decision-making authority




* decision-making authority


Board on Privacy and Data Protection
UCLA Chief Privacy Officer
• Training and awareness
• Governance support
• Privacy breach analysis
• Policy development and interpretation
• Data use questions
• UC privacy and information security report recommendations implementation

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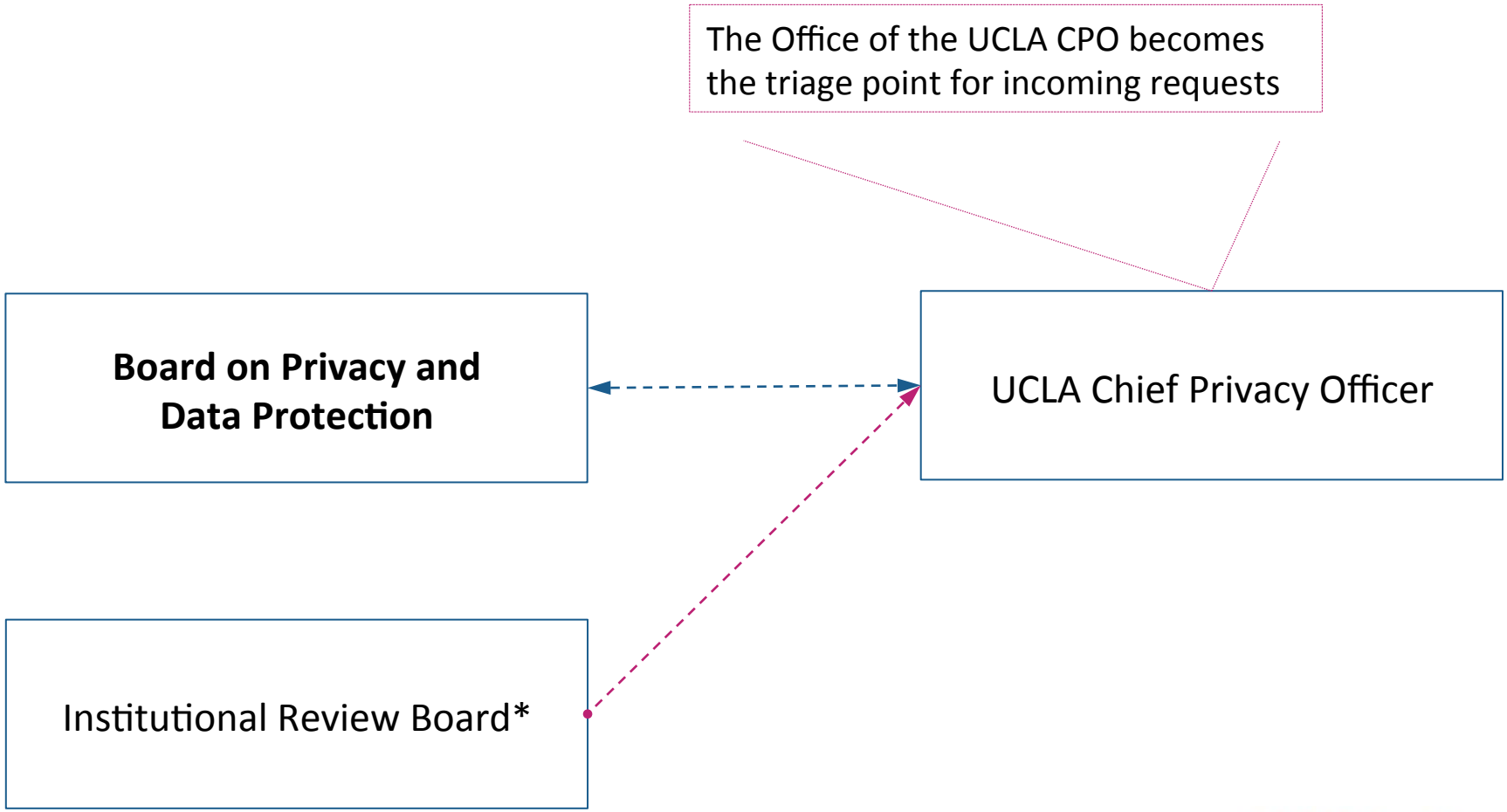


* decision-making authority

# Recommendation 5: Activities

- Develop programmatic activities necessary to support effective data governance.

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# Discussion topics

- Problem: data or uses of data not covered by existing laws or policies (e.g., FERPA, HIPAA, PII)
- How to extend FIPS principles?
  - Notice
  - Consent
- How to scope the data governance problem?
  - By subjects of data collection?
  - By uses of data?
  - By parties collecting data? Using data?
- What are appropriate criteria, values, practices?
- What are workable governance processes?

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# Acknowledgements


- Kent Wada, UCLA Chief Privacy Officer and Chief Information Security Officer
- James F. Davis, UCLA Associate Vice Provost for Information Technology
- UCLA Privacy and Data Protection Board
- UC Initiative on Privacy and Information Security


Data Governance Task Force Site:
https://ccle.ucla.edu/course/view/datagov

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