



## 40<sup>th</sup> International Conference of Data Protection and Privacy Commissioners in Brussels

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In 2018, the Digital Education Working Group (DEWG) expanded to **65 DPA members** representing 6 major regions of the world:

- **Europe: 40 (+ EDPS, Georgia, Canton of Basel, Republic of Slovakia)**
- **Africa: 9 (+ Tunisia)**
- **Asia-Pacific: 7**
- **North America: 5 (+ Alberta)**
- **Latin America: 4**
- **Near/Middle East: 1**

This report seeks to take stock of the three main actions of the working group's **2017–2018** action plan. In support of the challenges and objectives of the draft resolution on online educational service platforms (which will be commented on by our Canadian colleagues and submitted for approval), a roadmap for the year 2018–2019 is also being put forward to be agreed by our colleagues within the authorities.

In terms of taking stock of 2017–2018, the action plan was based primarily on the implementation of three additional actions:

- 1) **Exchanges of experience** and proposal for adoption of **an enhanced version of the data protection Competency framework with resources adapted by age-groups** and integration of resources and practical cases;
- 2) Continuation of implementation **on the CIRCABC web platform** shared between DPAs, with new education contents and resources, complemented with pathways or modules for training educational staff; assessment of options for **making these resources available online on other educational portals** consulted by teachers;
- 3) Proposal of **recommendations on practices of online educational service platforms** with regard to data protection and privacy issues.

**1. Action 1: Exchanges of experience and proposal for adoption of an enhanced version of the data protection Competency framework with resources adapted by age-groups and integration of resources and practical cases;**

This year, several Data Protection Authorities have initiated actions aimed at proposing an adaptation of the competency framework by class and age-groups concerned.

✓ **In France**<sup>1</sup>, [a preliminary module breaking down the education framework for the French cycle 3](#) [school key stage 2 or a 5<sup>th</sup> to 7<sup>th</sup> Grade student] (8-11-year olds) was published by the Ministry of Education on its EDUSCOL<sup>2</sup> educational resources portal at the time of entry into force of the GDPR on 25 May 2018.

This “tailor-made” training module was designed by the Ministry in collaboration with the French Data Protection Authority (CNIL) and a service-provider specialising in educational support, over the year 2017–2018, based on **the following methodology**:

- Identifying, **the possible “lead-ins” (key entrance) within the data protection competency framework** in the common core of knowledge and frameworks used in school programmes;
- Defining [a table showing “progressivity” of the competencies](#) of the framework for the French cycle 3 by selecting competencies to be addressed in connection with the school curriculum;
- Identifying existing **educational scenarios** (practical cases) for their capacity to be enhanced by learning the competencies of the data protection framework;
- Proposing a selection of [resources for the classroom](#) and for [teachers](#) illustrating the key competencies identified;
- Putting complementary modules online such as, for example, the “[Student’s Internet Day](#)” which helps them understand, through known digital practices (geolocation, biometrics, video surveillance and so on), the different scenarios of collection and processing of their personal data and encourages a genuine thought process on these issues;
- And finally, in the context of a partnership with the Education Ministry, **the launch of a competition in 2019 for pupils aged 8 to 11 years**. The objective of the competition will be to encourage this young audience and their teachers to propose educational projects and resources on issues in the framework’s areas of competency: **classroom deliverables** (multimedia posters, podcasts, quizzes, videos, digital books, digital games and so on) and **development of scenarios with teachers**.

✓ **In Canada**, the development and publication in 2018 of **lesson plans aimed at 11–13 year olds and 14–16 year olds**, by [HabiloMedias](#), an educational partner, who has designed a comprehensive adaptation of lesson content on behalf of the federal-provincial and territorial authorities responsible for privacy protection in Canada.

- In the educational modules made available to educators, the issues are brought into line with the key competencies addressed in the Framework;

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<sup>1</sup>For information, the [Education Code](#) in France was amended by the Law of 3 August 2018, which now provides for raising students’ and teachers’ awareness of students and teachers in the area of responsible use of digital technology, and introduces data protection into schools and teaching establishments.

<sup>2</sup> EDUSCOL represents **the educational support website of the Ministry of Education for primary and secondary education** (in France, it reaches 800,000 teachers and brings together more than 40 sites dedicated to specific disciplines and issues).

- **The methodology** applied is based on development of classroom scenarios, resources, quizzes, work sheets and a learning results assessment grid.
- See useful links:

[Getting the Toothpaste Back into the Tube: A Lesson on Online Information \(grades 6 to 8\)](#)

[Know the Deal: The Value of Privacy \(grades 6 to 8\)](#)

[Privacy Rights of Children and Teens \(grades 9 to 12\)](#)

✓ **In Gibraltar**, the Data Protection Authority has integrated the international Framework and its competencies into **new lesson plans** aimed at pupils in middle school (8-12) and secondary school (12-18).

- The content made available in the form of **Packs and exercises** aimed at pupils and educators offers varied, educational, illustrated tools addressing subjects in the news, historic events adapted to a young public very present on the Internet;
- **In terms of methodology**, the DPA in Gibraltar has cited several of its sources as having contributed to the conception of practical cases on issues within the framework, such as the ARCADES Handbooks, or “Sign Up, Log In, Opt Out: Protecting your Privacy & Controlling your Data” from Ireland, ICO lesson plans, and the Council of Europe guide “The Wild Web Woods”.
- A good example of cooperation shared between DPA within the DEWG and via resources made available on the CIRCABC database. *See useful links used by the DPA:*

<https://www.gra.gi/dataprotection/public-awareness>

<https://www.gra.gi/dataprotection/public-awareness/resources-for-teachers>

In support of the rich and varied experiences of the working group’s member authorities, it is therefore confirmed that the educational framework constitutes **an excellent guide** for teachers the world over, which can be rolled out at all classroom levels, from primary to secondary.

However, we believe it is premature to consider the adoption of a single enhanced version of the data protection framework. At this stage, it is appropriate to continue drawing up an inventory of integration initiatives, both in lesson plans and scenarios, as well as in school curricula in order to exchange feedback about the methodologies that work best.

**Suggested follow-up actions for 2018–2019:**

- The DEWG continues the exchange of experiences to build on successful and replicable initiatives to integrate into school curricula and the roll-out of the framework’s key competencies;
- Enhance them on the CIRCABC platform (dedicated section of new tree structure).

**2. Action 2: Providing the CIRCABC web platform with new content and services, and making the educational resources base available to the educational community;**

- **37 users** (i.e. only **28 DPAs**) with the status of author-contributor are registered on the platform.

Very few DPAs have uploaded new resources during the year and access to CIRCABC remained irregular, or even unstable, last year: *74 views* (compared to *300* on average over the same September – August period each year)<sup>3</sup>.

We should remember that 2018 was an exceptional year for all DPAs in Europe in particular – and that making our subjects available online has been given less priority.

**Proposals are being made to the DEWG to re-energise this platform with new options** (*see below*).

- In terms of making the CIRCABC resources available to the educational community, this initiative targeted the “Open Education Europa” (OEE) [www.openeducationeuropa.eu](http://www.openeducationeuropa.eu) portal in particular, in order to create a category of “Digital Privacy education” resources on this public site which is accessible to the teaching and university community. However, because this EU Commission platform evolved in 2018, being limited to putting MOOC and e-learning resources online, it is necessary to look for other possibilities to make DPAs’ resources publicly available online. One of the pathways might be the ICDPPC International Conference website.

#### **Suggested follow-up actions for 2018–2019:**

→ The DPAs continue uploading materials to the CIRCABC platform

- Distribution and making available online of a **revised and complemented draft tree diagram of the site** to improve its classification and navigation readability;

- Activation of an **alert/notification system** for registered members, aimed at flagging up any new resource availability online and attracting interest in site views;

- Complementing with educational resources for the classroom, initial and further training modules for teachers, guides aimed at parents (families), and thematic resources to enhance the procedures for exercise of their rights online.

→ ***For discussion: Proposal for integration and reproduction of CIRCABC content on the future ICDPPC conference platform with the draft of the future Conference WG.***

- In the absence of other prospects for sharing on the existing public platforms identified, reaching a decision on a possible transfer of content (updated from CIRCABC) to a future platform of the international conference, definitely presenting the best option in the medium-/long-term for permanent visibility and a public sharing of resources aimed at the educational community.

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<sup>3</sup> Total number of downloads up to 2018: 250 documents and URL links to resources

- 2017–2016: 240: As a reminder, nearly 50 new resources downloaded in 2017, accompanied by work on editorialisation of new resource contents (carried out by the CNIL (FR/EN)).

- 2016–2015: 170: Results which corroborate success of opening and active downloads on the new platform by the CNIL and by the DPA members themselves.

### **3. Action 3: Proposal of recommendations on the practices of online educational service platforms with regards to data protection and privacy issue.**

Furthering the 2017 Canadian survey into the practices of online educational service platforms, the working group prepared a proposal for a resolution aimed at educators and service-providers.

All of the recommendations made seek to allow educational digital practices to be developed in schools, whilst guaranteeing the full and effective integration of school data protection into the digital services offered to pupils and teachers, and respect of exercise of the rights of pupils, parents and educators.

The structure and key provisions of the resolution will be presented by the Commissions of the OPC (Office of the Privacy Commissioner of Canada) which coordinated this working group with the support of the CNIL and the OPC of Ontario. I would like to thank the eight authorities of the Task Force<sup>4</sup> who carried out important work relating to documentary research, drafting and coordination with our Canadian colleagues.

#### **Suggested follow-up actions for 2018–2019 (linked with adoption of the resolution):**

→ Insofar as implementation of the resolution invites the DPAs to continue cooperation in respect of following up the Resolution (subject to its adoption), the recommendation is to:

- Share experiences in implementation of this resolution
- Prepare an inventory of Recommendation Guides and Codes of Practice drawn up by the member authorities.

### **4. Proposal of new actions concerning the exercise of rights of minors and young people on the Internet, including online educational platforms**

- This issue concerning **the exercise of minors' data protection rights** has formed the subject of a preliminary survey by the CNIL conducted in June 2018<sup>5</sup> within the Task Force in the context of the issue of online educational platforms (addressed in the resolution).

The results, prepared on the basis of 40 responses received from the DPAs, seem to show that, in a certain number of countries, minors are recognised as having the option to exercise their right directly, depending on their age and level of maturity.

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<sup>4</sup> Eight DPAs: Canada, Ontario, Alberta, France, Germany (Thuringia), Czech Republic, Morocco, the Philippines.

<sup>5</sup> See Results of Survey of 40 DPAs in July 2018, made available on the ICDPPC website after the Conference.

Moreover, a majority of DPAs consulted pronounce themselves in favour of recognition of a certain “digital age of majority” for the collection and processing of data, accompanied by appropriate guarantees and advice from parents and data protection authorities.

However, it seems necessary to continue analysis of existing practices on this subject with a view to arriving at clarifying minors’ data protection rights online and to providing practical advice about the exercise of their rights, working towards a progressive empowerment.

**Suggested follow-up actions for 2018–2019 (other major challenges linked to application of rights):**

→ Examine the systems for provision of information, the tools and the educational practices set in place in order to raise awareness of children, parents and teachers in terms of the exercise of their rights online.

→ **Present at the 41st International Conference** a summary of initiatives and best practices relating to support and/or advice facilitating the exercise of the rights of children on the Internet.

- An emerging issue associated with **the stakes inherent in the development of *learning analytics*** in the Education sector should definitely be explored over the next few years (as demonstrated by the preliminary results of the CNIL survey in July 2018).

**Isabelle FALQUE-PIERROTIN**

*Moderator of the International Digital Education Working Group*