



# Online Educational Services Privacy Compliance

Ensuring ATIPP Act Compliance  
while selecting Third-Party Online Services

Department of Education, Government of Yukon

# I'd like to sign my students up for a great online learning app. What do I need to know?

First, you need to know what student personal information (PI) consists of under the **Access to Information and Protection of Privacy Act (ATIPP)**.

*Student PI is “recorded information about an identifiable individual,” including:*

- Name (first and last)
- Address or telephone number
- Age, gender, educational history
- The student's personal views or opinions
- Opinions recorded about the student
- Photos, videos, or audio of students

## So, if I only use their first name and age, I'm compliant with the ATIPP Act?

- ▶ It depends. If you provide the service enough information that the student could easily be identified by combining information (school, teacher, grade, age, unusual first name in a small school), this could create a privacy concern in the form of an unauthorized release.
- ▶ However, if you obtained informed parental consent prior to releasing this information to the service, you should be considered ATIPP compliant.
- ▶ Before disclosing personal information to a service, you must ensure the service has reasonable security measures in place to protect PI against accidental loss or alteration and unauthorized access or use.
- ▶ When you use aliases, you must ensure your identifying list is safeguarded and not released to the service (or anyone outside of the Department of Education) without informed consent.

## I'd like to use a free service. This would save our school money.

- ▶ A “free” service is a privacy alarm bell!
- ▶ With rare exceptions, a service offered for free is seeking **PI** in place of cash.
- ▶ This service may **collect, use and/or disclose** student **PI** for marketing purposes. It may **retain** the information as a business asset to be sold to another company.
- ▶ Read the privacy policy to determine whether student **PI** is being collected, used, disclosed and/or retained.

## Okay, but it's the best app out there, and I would still like to sign my students up for it with identifying PI

- ▶ Inform your supervisor of the educational service you intend to use.
- ▶ Provide parents with a letter:
  - ✓ Explain the benefits of the service
  - ✓ Describe what student PI will be used to sign students up
    - Note: Student work is considered personal information if it contains identifiable information or if it expresses an identifiable opinion, view, capability or grade mark.
  - ✓ Provide a link to the service's privacy policy
  - ✓ Allow parents to "opt-in" by providing written consent OR "opt-out" by indicating they do not wish their child to be enrolled in the service.

# This seems like a lot of work.

Students are learning how to protect their personal information. Your attention to this sets a great example, and ensures you are working to comply with the ATIPP Act.



# Do you have any examples of consent forms?

- ▶ Here is a sample consent form for an online educational service a school would like to offer.
- ▶ This form can be found in *First Class* in the Teachers' Global Conferences/Privacy Toolkit folder.

[Date]

Dear Parent/Guardian,

Career development is one of the three goals of Yukon's education system. Career education allows students to discover a bridge between classroom learning, the workplace and post-secondary realities.

We would like to make career education as relevant and accessible as possible by enrolling your child in Career Cruising, an online educational service. Our use of the service will be limited to allowing students to do the following:

- **Identify their interests, skills, learning styles and aspirations so that they can explore opportunities that are right for them**
- **Learn about career possibilities and education pathways by exploring rich, engaging content**
- **Create a digital portfolio to help students take steps needed to achieve career, school and life goals.**

The service can be accessed from school and home. The teacher may also provide parents access to their child's account through a Parent Portal.

For more information about the Career Cruising system, you can visit their website at <http://public.careercruising.com/en/our-solutions/k-12/>

**To set up a membership for your child's use of Career Cruising, we require your consent under Yukon's Access to Information and Protection of Privacy Act (ATIPPA). If you choose not to provide consent for Career Cruising, your child will not be penalized in any way. Alternate activities or access will be provided, as appropriate.**

According to the information that we have received from Career Cruising, the information about the student will be stored only within Canada, and therefore only subject to the laws of Canada and Ontario regarding privacy and data storage. We encourage you to review this additional information regarding the Career Cruising privacy policy and terms of use:

Company Privacy Policy: <https://public.careercruising.com/en/privacy-policy/>  
Company Terms of Use: <http://public.careercruising.com/en/legal-information/>

If you choose to withdraw your consent for the use of this service at a later date, the company's policy allows you to remove the student's information by logging into the service and altering your personal information, or by contacting the company directly at [privacy@careercruising.co](mailto:privacy@careercruising.co). If you do not have access to a computer and would like to have a copy of this policy, please contact the school and we will provide.

## (consent forms cont.)

- ▶ And here is a template that you can use to get you started on your permission form.
- ▶ This form can be found in *First Class* in the Teachers' Global Conferences/Privacy Toolkit folder.

[Date]

Re: Consent for the release of student personal information to participate in an Online Educational Service

Dear Parent/Guardian,

[ Broad statement about curricular goals for students in the learning area being covered. ]

We would like to make [learning goals in area] relevant and accessible as possible by enrolling your child in [Name of Service], an online educational service. The service allows students to:

- [Item 1]
- [Item 2]
- [Item 3, etc.]

Students access the service from [school and home?]. [Indicate if parents will access information through a parent portal as well.]

**To set up a membership for your child's use of [OES name], we require your consent under Yukon's Access to Information and Protection of Privacy Act (ATIPP).** If you choose not to provide consent for [service], your child will not be penalized in any way. Alternate activities or access will be provided, as appropriate.

For detailed information on [service's] privacy and security policies, you may read it at their website under [link]. If you do not have access to a computer and would like to have a copy of this policy, please contact the school and we will provide.

As stated in the privacy policy, [Service name] does/does **not** share personal information of students or parents outside of the service.

Please find below a description of the personal information that will be disclosed to the [service]. Kindly return a copy of this letter to [teacher] signed and dated before [date]. If you have any questions or concerns, please feel free to contact me [school and contact info]. You may also contact Yukon Education's ATIPP Coordinator (Access to Information and Protection Privacy) at 667-8236 if you have further questions regarding privacy.

[Teacher name and role] \_\_\_\_\_

[Principal name and role] \_\_\_\_\_



## Where else can I turn for help?

- ▶ You or your supervisor may contact the Privacy Management Coordinator for the Department of Education at 667-8326 or toll free 1-800-667-0408 ext. 8326.

