Privacy Statements in Higher Education Syllabi: Improving Digital Citizenship for You and Your Students

by Carrie Klein

Privacy statements are relatively new and often not incorporated into higher education course syllabi, even as the need for such statements has increased. In their 2019 research,[1] Dr. Kyle Jones and Dr. Amy VanScoy note that few faculty include privacy statements in their course syllabi, and when they do, they are "inherently limited by the contracts institutions sign with vendors—and their institution's student data practices. Instructors may wish to implement protections that aren't actually possible." Complex data use by higher education institutions makes it difficult for faculty and their students to understand which data institutions and vendors collect through educational technologies such as learning management systems and technologies used more frequently during the COVID-19 pandemic, like video conferencing tools.

That is why incorporating a privacy statement into syllabi is essential. The privacy statement not only signals faculty members' duty of care toward their students (and their students' data), but it also prompts faculty and students to think about privacy. As Dr. Jones mentioned in our recent conversation, "the higher degree of privacy literacy by instructors, the more they will be able to address student privacy in their instructional designs and advocate for privacy on behalf of their students."

Instructional designer Autumm Caines and digital scholarship librarian Dr. Erin Glass recommend that faculty incorporate the following questions into their syllabi to improve their students' and their own data literacy:
- What types of personal data do you think are collected through your use of digital tools for educational activities?
- What value does your personal data have for different contexts and entities? Consider how your data might be valued by your instructor, the institution, yourself, and companies.
- Who owns your personal data, who can sell it, and who can use it?
- Do you have concerns about how your personal data can be used? If so, what are they?
- Are there aspects of your identity or life that you feel would put you in a place of special vulnerability if certain data were known about you or used against you?

Drawing on Caines and Glass's recommendation, I use these questions in my higher education syllabus privacy statement and encourage students to reach out to discuss their data concerns. I have also worked to understand how my institution uses data and to communicate how I use student data and work to protect it in my classes.

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[1] K.M. Jones and A. VanScoy, *The Syllabus As a Student Privacy Document in An Age of Learning Analytics*, Journal of Documentation, (2019), 75 (6): 1333–1355.

What should you consider as you write your privacy statement? Privacy statements should reflect your style, your course, and your institutional context. For instance, you should write the statement conversationally, use plain language your students will understand, ideally tie it to learning outcomes of the course, and, if possible, reference your department or institution's privacy policies. You can also use your privacy statement to encourage your students to be actively involved, as a community, in protecting their individual and collective privacy, and to outline mechanisms for doing that. For instance, if your teaching is now predominantly online, you can set parameters for video-conference recording and expectations for shared community privacy standards.

As Dr. Jones emphasized in our conversation, "What is most important is that privacy statements are written in a personal tone, that they demonstrate that instructors have taken student privacy seriously, and detail what students can do to protect themselves and their peers." Your syllabus is not just a contract between you, your institution, and your students; it is also an opportunity to start a conversation about privacy and encourage your students' active participation in the cultivation of their digital citizenship.

Do you use privacy statements in your syllabi? If so, please share them in our syllabus privacy statement repository, so we can make these statements available for broad use. Email cklein@fpf.org to share your work and thinking.