

Don't Panic: a hitchhiker's guide to tackling SEP* fields via App Vetting

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Abstract

Europe has some of the world's strictest laws on data privacy and universities, as public organizations, are morally, as well as legally, bound to maintain the very highest standards with regard to data protection and privacy and to ensure the accessibility of the tools used by students and staff.

SEP stands for Somebody Else's Problem. A SEP field creates a blind spot whereby somebody dismisses an issue on the grounds that they consider somebody else to be responsible for it. The SEP field is entirely fictitious yet commonly found wherever matters of GDPR compliance or meeting accessibility standards arise.

University legal departments, IT departments and procurement professionals need to work increasingly closely together to understand the complexities of data privacy and security in the cloud and to ensure that tools in use meet acceptable standards of accessibility. The proliferation of apps used to support learning and teaching, often selected without any reference to central IT departments, makes ensuring compliance even more difficult.

This paper describes how an initiative, developed by IMS Global Learning Consortium, is undergoing community development to fit the needs of European higher education. The TrustEd Apps™ Seal means that an end-user thinking of using an app can see at a glance whether it meets the community's requirements. Creation of an equivalent validation seal for Europe will mean that compliance with European directives no longer needs to be considered SEP.

* SEP stands for Somebody Else's Problem.

1 Introduction

This is one of a series of papers for the EUNIS audience with titles inspired by the science fiction works of Douglas Adams. In “Life, the universe and everything” Adams (1982) described how a spaceship was hidden in Lord’s cricket ground by a SEP field. SEP stands for Somebody Else’s Problem. A SEP cloaking field creates a blind spot whereby somebody dismisses an issue on the grounds that they consider somebody else to be responsible for it. The SEP field is entirely fictitious yet commonly found wherever matters of GDPR compliance or meeting accessibility standards arise.

This paper describes how an initiative, developed by IMS Global, is undergoing community development to fit the needs of European higher education. The TrustEd Apps Seal means that an end-user thinking of using an app can see at a glance whether it meets the community’s requirements. Creation of an equivalent validation seal for Europe will mean that compliance with European directives no longer needs to be considered SEP.

2 The problem

University legal departments, IT departments and procurement professionals need to work increasingly closely together to understand the complexities of data privacy and security in the cloud and to ensure that tools in use meet acceptable standards of accessibility.

Jisc (2018) notes ‘There can be significant practical, technical and legal complexities involved in adopting cloud solutions and using them to deliver an organisation’s business objectives. This means technological change needs careful review to ensure that any digital strategy is robust and that the risks are recognised and managed.’

For core administrative systems, an institution is likely to put a lot of resource into the procurement and contracting stage. The situation is however rather different when it comes to apps used to support learning and teaching, which are often selected without any reference to the IT department. Many are small-scale initiatives that take place entirely ‘under the radar’ of central institutional management making ensuring compliance even more difficult.

3 Existing initiatives

IMS Global is a membership organization, well known for its role in developing standards in the world of education technology. U.S. universities, used to relying on IMS certification to ensure interoperability of products, asked for help with ensuring compliance with privacy laws. This resulted in the development of an evaluation rubric and training materials to support its use and, ultimately, in a rigorous community-developed app vetting process to ensure that educational technology applications fulfill requirements for privacy and security and assure responsible usage of the information gathered by these applications.

When a supplier applies to obtain the IMS TrustEd Apps Seal, a thorough review of its privacy policy and terms of service is conducted by trained staff to ensure that it complies with applicable privacy laws. The app is assessed against a detailed rubric and the supplier is given a timescale to rectify any areas which do not meet expectations. Once any such concerns are addressed, the seal can be awarded and the app is reviewed annually to ensure that the conditions are still met.

The directory of products awarded the seal is publicly available on the IMS website and members have access to further detail about the product reviews.

The scheme is now being adapted to cover accessibility and security measures as well. Work on the security rubric is being undertaken in partnership with EDUCAUSE and drawing on its Higher Education Community Vendor Assessment Toolkit (HECVAT – EDUCAUSE 2020).

4 App vetting for Europe

The rubrics currently in use were originally developed for the schools sector with extensions added to meet the additional requirements of higher education in the US. Further extensions, particularly with regard to GDPR and the EU-US privacy shield, are required to fully meet the needs of European higher education. Developing these extensions is a community initiative being undertaken by the IMS Europe Technical Task Force.

EUNIS and IMS have collaborated via a partnership agreement for a number of years. EUNIS has a seat on the IMS Europe Leadership Board and the Technical Task Force includes representation from a number of EUNIS member organizations.

Joint working on initiatives such as this offers opportunities to strengthen these connections and to have a practical impact on digital transformation in European higher education.

5 What can EUNIS members do to avoid SEPs?

The success of initiatives such as this relies, of course, on adoption and EUNIS has an important role to play in awareness raising. IT professionals need to be aware of what standards and certifications higher education institutions should be looking for in educational apps. Requests for proposals/invitations to tender should demand relevant certification and/or vetting and staff with authority to select tools to be used for learning and teaching should be briefed on the need to ensure legal compliance.

Readers interested in the app vetting initiative and the work of the various IMS Europe groups are invited to contact the authors for more information.

6 References

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7 Author biographies



Markus Gylling is Solutions architect, IMS Europe at IMS Global Learning Consortium. With 20 years of experience in standards and software development, Markus' primary engagement areas in IMS are accessibility, digital content and data model development. Prior to his work with IMS Global, Markus worked as CTO of the International Digital Publishing Forum (IDPF) and as CTO of the DAISY Consortium, as well as head of the unit for process and architecture at the Swedish National Agency for Education.

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Gill Ferrell has led the EUNIS Learning and Teaching SIG since 2009. She also has an interest in data and information management and led Jisc support for UK HEIs changing practice when GDPR first came into force. In March 2021 she joined IMS Global Learning Consortium as IMS Europe Program Director.

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