They Say "We Value Your Privacy", But Do They?: A privacy and surveillance community of practice speaks out

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Acquisitions Institute 2024

Show of Hands - Who Read the Timberline Acquisitions Institute Code of Conduct?

Terms*

By registering for this event I agree to adhere to the Acquisitions Institute Code of Conduct.

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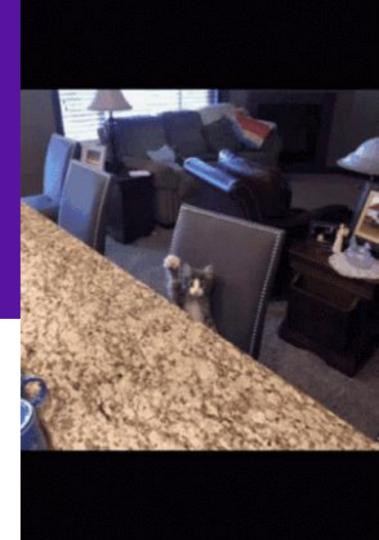
☐ I have read and agree to the terms above.

Or did you just click the box….?

SPARC & the Community of Practice Model

- SPARC
  - [Sarah Lamdan](#), Senior Fellow
- Privacy & Surveillance Community of Practice
  - Background & Steps
    - Working Groups
    - Co-leads
    - Webcasts
    - Getting Started

Show of hands - Do you know the difference between anonymized data, de-identified data, and raw data?

P&S Resource Library Working Group

- Charge
- Outputs to date
  - Briefing for Library Workers
  - Briefing for Faculty
  - Briefing for Students
  - Glossary

Academic Platforms & Your Privacy

Briefing for Faculty

Online tools have become central to conducting research and building an academic career. As many parts of the research process have shifted online, serious issues related to privacy and data control are becoming more apparent. Some academic publishers are evolving into data analytics businesses that own widely adopted products from discovery to dissemination to evaluation. These companies are incentivized to monetize personal information, often in ways that faculty may be uncomfortable with. As a leading research foundation has noted, these platforms—and the tracking they enable—can "fundamentally contradict academic freedom."[1] There are a variety of actions that faculty can take to mitigate these risks, both for themselves and their students.

Key Privacy Concerns

- Academic platforms, such as faculty information systems, can collect extensive personal data about individual faculty, including demographic information, evaluations, external reviews, and other career history data (including publications and research funding).[2,3] This data can be combined with data from additional vendor platforms, allowing vendors to create complete faculty member profiles and to develop new metrics for productivity.[1,2,3,4]
- Educational technology platforms, such as learning management and homework systems, can collect personally identifying information from both students and faculty that could be sold or shared with third parties, including data brokers. FERPA offers limited but inadequate protections for student data.[5] This can create risks for both students and the faculty who assign them.
- Some publishers are building platforms that span the entire research process from application, hiring, discovery, collecting and analyzing data, publishing, evaluation, and academic career management. This has the potential to create platform lock-in and commercially influence what research is valued and supported.[1]
- Many academic platforms are also incorporating Artificial Intelligence (AI), often without transparency or careful review by their users, potentially creating or reinforcing biases in the academic publication process.[6]

What You Can Do

Show of hands - How well do you know your privacy terms with a vendor (could be any vendor at all)?

5 = Super familiar … 1 = No idea!

What about, specifically, Elsevier?

And, think about:

- Have you seen places where vendors hide privacy clauses?
- Is the header of that clause even always "Privacy"?

P&S Contracts Working Group

- Charge
- Efforts to date
  - Sub-groups: Strongest terms & Contract components
  - Elsevier [ScienceDirect Report](#)
  - Guest speakers
    - Discussion about Triangle Research Library Network (TRLN) [Guide to Negotiating Accessibility in E-Resource Licenses](#)
    - Discussion with Cornell about [No NDA Policy](#)

The LexisNexis® Telematics Exchange

Solving the Many-to-Many Challenge.

Show of hands: Do you drive a car?

How are your insurance rates?

...Does your institution subscribe to LexisNexis?

Introduction

Author, Becky Yoose of LDH Consulting Services & SPARC

Published November 2023

Discovered web beacons & cookies

Sharing user data with third party vendors of social media, data brokers, advertising and marketing

SPARC✳

NAVIGATING RISK IN VENDOR DATA PRIVACY PRACTICES

An Analysis of Elsevier's ScienceDirect

Show of hands - How many in the audience are administrators?

We need your help!

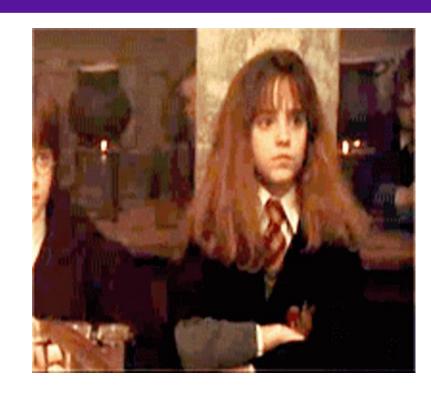Problems we're facing with contract language require institutional support.

Contract Language WG: Takeaways so far

- Importance of having administrators on board
- Importance of library values/statements on user privacy
- More reports forthcoming!
  - Science Direct Report = growth in the WG!
  - Building on the report
    - Using this information at our own libraries.
    - Awareness of "nesting doll" privacy policies
- Deliverables (DPA, negotiation guide, etc.)

Show of hands - How many know which of your licensing terms are under an NDA?

Think about:

- Have you seen places where vendors hide NDA clauses?
- Is that clause always called an NDA or is it sometimes "Confidentiality" or even something else?

FOIA Project

- Collaboration between Resource Library and Contract Language
- Previous [FOIA campaigns](#)
- Research Questions

  ★ *Remedying information asymmetries*

  ★ *Getting full picture of privacy practices*

  ★ *Comparative contract analysis*

P&S Resource Library Working Group Still To Do

- Additional Briefing documents:
  - Administrators
  - Shared/Collective Governance
  - Office of Research
  - Instructional Designers
  - Campus IT
  - Campus Procurement
  - Unions
- AMA Style Webcast Launch

P&S Contracts Working Group Still To Do

- Privacy Negotiation Guide
- Data Privacy Addendum
  - Friendly vendors
  - Pilot institutions
- Guest speakers
- Privacy support calls
- Additional vendor reports

How You Can Get Involved

- Join SPARC as an institutional member
- Join a Working Group or the FOIA Project (you don't need to be a SPARC member!)
- Read and share the Elsevier ScienceDirect report (& future reports!
- Consider using the DPA when it's released
- Use the Resource Library Briefings to jumpstart conversations
- Inform students about separate privacy terms on different vendor platforms

Resources

SPARC [Privacy & Surveillance Website](#)

Elsevier [ScienceDirect Report](#)

P&S Community of Practice [Interest Form](#)

TRLN [Guide to Negotiating Accessibility in E-Resource Licenses](#)

QR link to slides

Questions?

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Discussion Questions

1. If you've been in the business for a long time, what are the key changes you've seen happen in this space with electronic resources and privacy?
2.