



Guidelines of ethical and legal requirements for learner data collection, storage and processing

“Improving the quality and sustainability of learning using early intervention methods based on learning analytics”

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1 Introduction

This report outlines the guidelines that consider the ethical and legal requirements of each HEI, for learner data collection, storage and processing. These guidelines aim to balance the benefits of learning analytics (LA) with protection of student privacy and adhere to data protection regulations..

2 Ethical Principles

The following ethical principles form the foundation of these guidelines:

- **Supporting Student Learning:** LA should be used to enhance the student-teacher interaction and personalize learning experiences for improved academic outcomes.
- **Data Privacy Compliance:** LA practices must strictly comply with regulations like the European General Data Protection Regulation (GDPR).
- **Continuous Improvement:** The implementation of LA is an iterative process incorporating stakeholder feedback to refine data collection and analysis methods.
- **Transparency and Accountability:** HEIs are committed to transparency in data collection methods, data usage, and data security.

3 Guidelines for Learner Data Management

1. Data Collection

- Collected data will not be used for academic assessment purposes or considered official records.
- Data collection will be based on specific pedagogical needs and used only for those purposes.
- Data will be deleted after it serves its intended use.

2. Data Protection

- HEIs will implement robust measures to safeguard learner data from breaches and unauthorized access.
- Non-transparent and incomprehensible LA algorithms will be avoided.

3. Student Consent

- Students will be informed about the data collected, its purpose, and how it will be used.
- Students will have the right to understand how data informs actions taken about them.

4. Data Accuracy

- HEIs acknowledge the limitations of data and analysis methods and strive for data validity and accuracy.

5. Anti-Profiling

- HEIs maintain a zero-tolerance policy against profiling students based on sensitive data.

6. Opt-Out Options

- While core data collection is essential for enrollment, students can opt out of programs or interventions driven by LA.

7. Data Anonymization

- Data anonymization will be prioritized whenever possible. Access to student identifiable data will be strictly limited.

8. Handling Non-anonymized Data

- Non-anonymized data will not be shared with third parties without explicit student consent.

9. Ethical Approval

- Any data usage beyond the scope defined by partnering HEIs requires additional ethical approval or informed consent.

10. Student Representation

- Student representatives will be involved in formulating and establishing policies for data management.

11. Transparency and Awareness

- Students will be informed about LA services during enrollment with the opportunity to opt-in to additional services.

12. Data Governance

- Access to and processing of student data will be subject to regulation and auditing by oversight bodies.

13. Consent and Permissions

- Prior to piloting new LA initiatives, institutions and students will be asked for permission and consent following GDPR regulations.
- Data will be anonymized and transparency will be maintained throughout the pilot process.