Title: Our “Special Obligation”: Library Assessment, Learning Analytics, and Intellectual Freedom

Abstract: Best practices in library assessment reflect the core library values of patron privacy and confidentiality. This chapter reviews fundamental principles of intellectual freedom in light of academic library assessment and parent institutions’ learning analytics initiatives. Privacy by Design, a framework for data governance that balances organizational mission with individual choice in personal data collection, is introduced. PbD presents an application of the broader concept of data governance and can inform library assessment and patron data use policies. Privacy audit techniques can then be used to evaluate the library’s adherence to its data governance plan and identify areas for improvement.

Keywords: library assessment, learning analytics, privacy, intellectual freedom, confidentiality, ethics, data governance, Privacy by Design, quantitative assessment, patron data, personally identifiable information, privacy audit, surveillance

Project focus: assessment methodologies, techniques, or practices; organizational practices (i.e., strategic planning); user behaviors and needs; data use and technology; assessment concepts and/or management; concepts/theory; professional ethics

Results made or will make case for: changes in library policy, proof of library impact and value, a strategic plan or process

Data needed: Library assessment data (as defined by library)

Methodology: qualitative

Project duration: ongoing (continuous feedback loop)

Tool(s) utilized: N/A

Cost estimate: < $100

Type of institution: community college

Institution enrollment: 5,000–15,000

Highest level of education: associate’s
Chapter 4

Our “Special Obligation”

Library Assessment, Learning Analytics, and Intellectual Freedom

Sarah Hartman-Caverly

Librarians claim a special obligation to intellectual freedom.¹ Our instruction and information services, and our assessment of that work, must preserve patron privacy and confidentiality as the necessary conditions for free inquiry. Contemporaneous methods of institutional and academic library assessment, coupled with the data analytics capabilities of best-in-breed library and educational technology, challenge librarians’ ethical commitment to intellectual freedom. This case study highlights the “unfreezing” stage of a community college librarian’s organizational change efforts directed at redesigning library assessment in order to restore patron privacy in assessment practices and at advocating for students’ intellectual freedom in institutional governance.² The methods and activities proposed highlight the role of the academic librarian in advocating and teaching intellectual freedom and of intellectual freedom as a subject of library assessment.
Context

Delaware County Community College (DCCC) is the open-admission institution of higher education serving Delaware and Chester counties in the metropolitan Philadelphia area of southeastern Pennsylvania. DCCC confers associate degrees and career credentials across a wide range of academic disciplines and skilled vocations to a diverse population of direct-from-high-school and post-traditional students. Nearly half of our students identify as people of color, and approximately two hundred international students study at the college each year. More than two-thirds of the college’s 12,000 credit students attend part-time, many of them balancing family and work responsibilities with their pursuit of higher education or skills training. Financial aid funds the learning pursuits of 67 percent of our students. More than half of incoming students prepare for college-level courses by completing developmental reading, writing, or math curricula. After their studies at DCCC, 62 percent of our students avail themselves of the more than fifty agreements the college maintains with baccalaureate programs and transfer to continue their studies.\(^3\)

DCCC Library Services is comprised of five full-time faculty librarians and adjunct library faculty providing information literacy instruction and research services at the college’s primary Marple Campus and five of its eight satellite teaching sites. The college renovated the library footprint and opened the Marple Learning Commons in January 2013. Over the past five years, Library Services experienced significant changes in our physical plant, knowledge collection and collection development practices, and in organization and staffing. To create space for tutoring and writing services, more than one hundred desktop computers, group study spaces, and the comfortable seating areas that characterize learning commons facilities, librarians weeded the physical knowledge collection, halving it from approximately 40,000 volumes to 20,000 volumes. Titles were considered for deaccession based on circulation statistics dating from the implementation of the integrated library system, publication date and content currency, and curricular relevance; the need to reduce the footprint of the collection drove the weeding initiative. College administration increased the library acquisition budget for electronic materials to supplement the remaining physical collection with e-books, patron-driven acquisition collections, and article databases.

The transition to a learning commons transformed library staffing as well; a 2013 reorganization replaced the library director position with a director of the learning commons and expanded the responsibilities of circulation and technical services clerks to include customer service, triage reference, and technical support duties at an integrated information desk. Subsequent staffing changes jettisoned the learning commons director and further restructured support staff positions. During this transition, faculty librarians reported to an acting dean; in 2015, the college conducted a national search and hired a dean of educational support services with prior experience overseeing library, writing services, and technology services in a similar community college setting.

The period of transition from library to learning commons paralleled a significant college-wide curriculum revision. In 2014, DCCC faculty ratified nine learning goals.
developed in response to recommendations in the college’s self-study report for Middle States Commission on Higher Education (MSCHE) reaccreditation. The learning goals updated the competency-based curriculum model and include assessment plans that seek to quantify students’ attainment of the goals upon academic program completion. Curriculum and assessment committees within the college’s shared governance system processed hundreds of course and program change proposals over two academic years to align the entire curriculum with the new learning goal and assessment paradigm, and the college reported this accomplishment in its MSCHE Periodic Review Report. Information literacy is one of the learning goals, and library faculty collaborated with subject matter faculty across the disciplines to integrate information literacy into program curricula and to develop assessment plans to measure student learning outcomes. Library faculty also scaffolded information literacy outcomes, identifying competencies to be achieved at college orientation, in developmental reading and writing courses, in courses designated as meeting the information literacy learning goal, and in advanced academic and discipline-specific courses. In reference to the “Information Has Value” frame of the Framework for Information Literacy for Higher Education developed by the Association of College and Research Libraries (ACRL), DCCC library faculty articulated a learning goal that requires students to “identify the legal, ethical, economic, and social issues (including privacy…) associated with the use of information.”

Enrollment, retention, and program completion concerns also assumed new significance for the college during this time frame. Community college enrollment trends tend to indirectly correlate with economic growth; thus, as the “green shoots” of economic recovery emerged, DCCC’s enrollment declined from its Great Recession peak. Likewise, community colleges struggle to sustain thresholds measuring student retention and program completion, as they inherently serve diverse student populations with a wide range of personal educational goals, competing life priorities, and other obstacles to higher learning. The development of quantitative institutional assessments like the American Association of Community College’s Voluntary Framework of Accountability (VFA), Hobson’s Predictive Analytics Reporting (PAR) Framework, and the College Scorecard under then-President Obama’s Department of Education placed new urgency on metrics like enrollment, semester-to-semester and year-to-year retention, course pass rates, and credential completion. DCCC implemented a variety of initiatives, including an early alert student tracking software that integrates with the college’s new learning management system, which increased the institution’s capability to track, monitor, and influence student progress to credential completion through a variety of automated and individualized student support interventions. With the adoption of these systems and concomitant services aimed at increasing enrollment, retention, and completion, DCCC entered the domain of learning analytics.

Renewed interest in library assessment emerged from these parallel restructurings of the learning commons, the college curriculum, and institutional assessment. Library faculty and administrators completed an assessment cycle in 2013 utilizing a method predicated on transactional statistics and analysis of an anonymized sample of student research assignments. However, the learning commons transition, onboarding of
new leadership, significant college-wide curricular changes, increased emphasis on accountability for student success to inform institutional resource allocation, and adoption of new technologies—including a library services platform with enhanced patron analytics capabilities—to measure and track achievement of institutional metrics, contributed to a sense that the current library assessment approach did not serve emerging assessment needs. In November 2016, the dean charged the library faculty with developing new assessment methods that would demonstrate the library’s contributions to student retention and success and circulated highly cited materials describing library assessment practices at the University of Minnesota, which are promoted by ACRL’s Value of Academic Libraries initiative.

Reading “Library Use and Undergraduate Student Outcomes” brought the three strands of institutional assessment, learning analytics, and library assessment into new relief. A particular claim in Soria, Fransen, and Nackerud’s article captured my attention: “Privacy concerns are valid, but data can be gathered, stored, and aggregated without compromising individual privacy. We recommend putting infrastructure in place to begin gathering data as soon as possible, even if staff are not readily available to immediately analyze the data.”

Soria, Fransen and Nackerud go on to cite Megan Oakleaf, a significant proponent of library assessment, seminal figure of ACRL’s Value of Academic Libraries initiative, and developer of the influential Academic Library Value: The Impact Starter Kit. Oakleaf explicitly elevates assessment above patron privacy and confidentiality in the talking points of Impact Starter Kit “Activity #24: To Assess or Not to Assess” and asserts that deidentified patron data must be partnered with student outcome metrics in order to demonstrate the library’s contribution to institutional goals.

This data collection posture substantiates my concerns regarding the library assessment methods described in Soria, Fransen, and Nackerud’s article and promoted in other ACRL VAL initiatives. I perceive academic library assessment trends as emerging in stark contrast to fundamental library values regarding patron privacy and confidentiality as conditions for intellectual freedom. By abdicating our “special obligation” to intellectual freedom in response to the perceived existential threats posed by accountability-based funding and increasingly technocratic methods of institutional assessment, academic libraries are producing an actual existential threat in the abandonment of our ethical bearings and professional identity.

Ethics in the academic library are, in fact, at an inflection point. We face the ethical dilemma of tracking students’ library use and correlating it with institutional outcomes in order to justify budget proposals, staffing levels, and, in some cases, our very existence on campus. We identify privacy as a knowledge practice inherent to our discipline, yet compromise student privacy to demonstrate the degree to which this and other information literacy learning outcomes are achieved. We steward, and are in danger of exploiting, a silo of student learning data that is in high demand by institutional and higher education researchers, software and content vendors, government agencies, and other third parties. We operate within parent institutions increasingly preoccupied with the bottom line, answering to administrators and
colleagues who do not always understand or share our commitment to intellectual freedom.

This challenge is multifaceted; so must be its resolution. Academic libraries must examine and reaffirm our ethical commitment to intellectual freedom; share our knowledge of privacy, confidentiality, and data governance with our parent institutions; model best practices in confidentiality and privacy policy-making, privacy disclosures, patron data collection, and privacy-aware assessment methods; and elucidate intellectual freedom concepts in our research instruction and reference consultations. In so doing, we will not only realize our commitment to safeguarding intellectual freedom, but also enhance the quality and utility of our assessment data.

Communicating Results and Impact

Rediscovering Our Roots: Librarian Self-Reflection, Scholarly Communication, and Library Policy

Library assessment practices that utilize patron data or data exhaust implicate the conditions of privacy and confidentiality that underpin a librarian’s relationship with and information service to her patron. Thus, questions of academic library assessment using learning analytics methods, or for purposes of correlating library use with individual student outcomes, are first and foremost ethical questions. The American Library Association’s (ALA) Committee on Professional Ethics identifies intellectual freedom as the foundation for the profession’s ethical principles and invokes privacy and confidentiality in the third statement of the Code of Ethics.

Adopted in 1939 and amended three times (most recently in 2008), the ALA Code of Ethics interprets our shared disciplinary knowledge and values and reduces them to practice. It provides guiding principles for reasoning ethical dilemmas to resolution, and it is a living document, modifiable to reflect emerging ethical challenges and value positions. As currently interpreted in the Library Bill of Rights, Privacy Toolkit, Library Privacy Guidelines, and ALA policy, the functional definition of privacy in librarianship is conceptually broad, encompassing autonomy privacy: “having to do with the ability of individuals to be free of actual or potential observation.” By contrast, contemporary discourse about privacy in the discipline, such as that in the excerpt from Soria, Fransen, and Nackerud, is bound by an implicit acceptance of conditions of constant data capture and reuse for data mining as normative, necessary, and resource-efficient in light of the availability of low-cost web-scale data storage services. In other words, the current conversation is focused narrowly on patrons’ data privacy, but omits the larger context of autonomy privacy as prerequisite to intellectual freedom.

Academic librarians are reopening a discursive space to bring autonomy, privacy, and intellectual freedom to the forefront of scholarly communication regarding assessment and patron data. My own entry point to this space was a systematic self-observation project as part of a 2015–17 learning community of academic librarians. Accompanied by interdisciplinary scholarship on privacy, data mining, learning analytics, and library
assessment, this experience culminated in my renewed commitment to promoting intellectual freedom as a community college librarian. At the time that the call for proposals for this volume was announced, I was further synthesizing that scholarship to develop a counterproposal to the University of Minnesota model of library assessment that was slated for discussion at my library’s department meeting. The assessment considerations first presented to colleagues on the library faculty at DCCC in January 2017 served as the basis for a presentation about learning analytics and student privacy offered during our college’s faculty in-service professional development program in February 2017, were refined in a webinar presented for Tri-state College Library Cooperative, are independently validated by Jones and Salo in “Learning Analytics and the Academic Library: Professional Ethics Commitments at a Crossroads” (in preprint at time of writing), and unfold now as you read (see figure 4.1).

The library assessment process I propose adds two preliminary steps to the conventional assessment cycle: a privacy audit, and a critical examination of the library’s privacy policy. A privacy audit identifies the library’s current patron data governance practices: what personal data is collected, when and where data collection occurs, who has access to the data collected, why the data is collected, and how the data is stored, secured, transferred, and destroyed. Specific privacy audit techniques are detailed in the ALA Privacy Toolkit; “Activity #12: Library Data Audit” in Oakleaf’s Impact Starter Kit is also easily adapted for the purpose of a privacy audit.

The results of a privacy audit then inform the development, amendment, reconfirmation, or enforcement of a library privacy policy. Library privacy policies should be predicated on data minimization, “collecting the minimum amount of personal information required to provide a service or meet a specific operational need” and disposing of data once that need is met. The ALA Privacy Toolkit and
Library Privacy Guidelines are invaluable resources in the implementation of a library privacy policy. The library’s assessment process can then be planned or reexamined and adapted, as necessary, to achieve alignment with the library’s privacy policy (see figure 4.2). Moreover, the advancement of professional values, including privacy and confidentiality, should be assessed as a core function of the academic library.

| Privacy audit | • Document patron data collection |
| Privacy policy | • Guidelines for patron data collection and use |
| Identify outcomes | • Include intellectual freedom indicators |
| Determine methods | • Patron data use complies with privacy policy |
| Collect data | • Incorporate qualitative as well as quantitative instruments |
| Analyze results | • Provide and comply with patron privacy choices |
| Improve library performance | • Contextualize quantitative patron analytics and transactional data with qualitative findings |

**Figure 4.2**
The author’s proposed library assessment cycle for DCCC Library Services.

As librarians, we have staked our claim to intellectual freedom as the special obligation of our profession. What definition of privacy guides us to fulfillment of that obligation? Have changes in the information environment—for instance, the widespread use of data mining practices in applications such as learning analytics—fundamentally reshaped privacy as a cultural value, or rendered it obsolete? If so, is it not incumbent on us to reexamine and amend our professional ethics? By contrast, assessment itself is not mentioned in the code. Should assessment be included among the profession’s core values? These questions go to the root of what it means to be a librarian and can be answered only by professional self-reflection, scholarly communication and good-faith debate, and renewed commitment to library policy-making consistent with our shared core values. As our professional ethics currently stand, privacy should be a forethought, and a subject, of assessment initiatives—not an afterthought.

**Strengthening Our Trunk: Engaging Our Parent Institutions**
Academic libraries are dependent upon parent institutions for resources, from staffing, to operating and acquisitions budgets, to the allocation of physical space. This dependence renders us accountable to administrative priorities that are increasingly framed in neoliberal terms and lend themselves to assessment methods derived from
business metrics, like return-on-investment (ROI). The ethical dilemma of library assessment that implicates patron privacy emerges when institutional assessment values and library intellectual freedom values conflict.

Academic libraries’ primary value is, unarguably, our role in developing students’ information literacy and in providing the raw material for the research and knowledge creation function of the university. Our library assessment initiatives must measure these impacts in ways consistent with our core values of privacy and confidentiality. In addition, we can do more to leverage our unique expertise in intellectual freedom, information systems management, structured data, and data governance to advise our institutions on risk management with respect to student data. Introducing system configuration and privacy audit methods, such as the Privacy by Design framework, creates common ground with campus information technology and institutional research departments to ensure student privacy is a primary consideration in technology and assessment practices. Framing student data as a liability as well as an asset, and advocating data governance planning on campus, allows libraries to establish privacy as our strategic differentiator and expert contribution in the domain of institutional information services.

Strategic planning and assessment cycles, accreditation self-studies, changes in executive administration, collective bargaining negotiations, and learning management and student information system deployments are all institutional activities that present opportunities to initiate the conversation about student data governance and intellectual freedom (see figure 4.3). The academic tradition of institutional decision-making through shared governance is an inclusive process, in letter if not in spirit. Librarians can join committees in elected or amicus capacities to raise questions about the use of student data and to contribute our expertise on system configuration and interoperability, data flow analysis, FERPA regulations, data minimization, and other best practices in data governance.

In my experience, the same questions that guide data governance planning can be posed to raise institutional awareness of the need for data risk management:

- What data are we collecting and retaining about students?
- How is this data collected? How is it stored and secured? What is our breach response plan?
- How are students informed of this data collection? What opt-in or opt-out mechanisms are in place?
- How is this data used?
- Who has access to this data? Under what conditions is this data shared with third parties, including content and system vendors, financial institutions, and law enforcement?
- When and how, if ever, is this data destroyed?

The technopositivism advanced by the educational technology industry and educational policy organizations leaves little room for technoskepticism—critical questioning of how technology serves higher learning, which instances of higher education’s adaptation to emerging technology represent evolution, and which
adaptations are suggestive of devolution. Librarians should assume the role of thought leaders in this discussion through informed questioning of the role of technology in education and research.

Librarian participation in institutional assessment presents another opportunity to demonstrate expertise in critical information evaluation. We teach students to examine sources as artifacts bearing the figurative fingerprints of the authors’ information creation process, to reflect on those elements as indicators of information quality, to consider whether the information presented fulfills an information need, and to navigate an increasingly complex terrain of authority and bias. Applying these same techniques to the examination of institutional assessment data and reports revealed, in my experience, a creeping confirmation bias in institutional assessment and decision-making. Reports that seek to present the institution in the best possible light are one thing; at issue are institutional decisions validated by skewed internal data or data analysis. A dialogic technique that seeks test cases—examples, information, or analysis—contrary to the prevailing wisdom is a posture librarians can effectively assume in our contributions to institutional assessment and governance. Under examination, evidence-based or data-driven decision-making practices may be revealed as decision-driven data-making.

Figure 4.3
An updated time line of the author’s scholarly communication activities within her parent institution, presenting a sample of college service and institutional changes presenting opportunities to raise awareness of data governance and intellectual freedom.
Engaging subject matter faculty on questions of student data governance, classroom confidentiality, and academic freedom is another important arena for librarian activity at the institutional level. At DCCC, the coincident implementation of a new learning management system and student early alert system created natural opportunities to discuss the impact that student progress monitoring, intrusive “nudge” advising, and interdepartmental student data sharing might have on faculty-student interactions and the academic freedom of the classroom.

Anecdotal observation suggests that many faculty recognize the pervasive collection and analysis of students’ clickstream data as antithetical to academic and intellectual freedom, but they lack the lexicon to articulate these concerns. All-faculty meetings and professional development in-service days present opportunities for librarians to share information and best practices around student privacy and intellectual freedom. When a configuration issue with the college’s new early alert system became the subject of discussion at a fall 2016 faculty meeting, faculty members’ frustration with the software could be reframed as a concern of trust in the adoption of new technology that intermediated faculty-student communications and produced a digital record of automated transactions that sometimes undermined and even contradicted individual professors’ grading and course policies. Probing further with questions about learning data capture, storage, and sharing prompted another faculty member to wonder, “What is the institution’s goal with all of this surveillance, exactly?” During another software training session, a faculty member in the ESL program asked about the implications of attendance data capture for international students’ visa status. These and other practical questions provide openings to raise accompanying theoretical and ethical questions about the possible long-term implications and unintended consequences of learning data capture for academic and intellectual freedom.

A librarian colleague and I leveraged DCCC’s learning management and early alert system implementations to introduce the umbrella concept of learning analytics, and the student privacy and academic freedom challenges it poses, as the subject of an in-service session and the topic of a semester-long faculty learning community. Framing learning analytics as a form of surveillance, communicating emerging research on the chilling effect of surveillance that hampers free inquiry, and discussing the disparate impact of structural surveillance on minority populations—social identity groups to which many DCCC and other community college students belong—proved a powerful point of departure for debating the appropriate context and role of student data capture in the academy. Subject matter faculty contributed their own examples, such as a career program in which students are required to achieve a percentage likelihood of passing the occupational licensure exam as estimated by a test preparation software prior to approval to sit for the exam. Likewise, we discussed the implications of perpetual storage and text analysis performed by services like TurnItIn, which retain a persistent digital copy and assign an originality score to students’ written work. Many participants in the in-service session and learning community expressed a sense that certain student data capture practices crossed a line of intrusiveness in the institution’s relationships with students. Few were surprised to learn of the billions of dollars of public and private
investment in educational technology featuring analytics capabilities and of the public-private partnerships that promote use of this software in the education system. All shared a concern for how these technologies would impact faculty-student interactions and pedagogical prerogatives in the classroom, both in person and online. At least two participants are considering learning analytics as a potential topic for investigation as part of graduate coursework (see figure 4.4).

Figure 4.4
An updated time line of the author’s scholarly communication activities within her parent institution, presenting work with subject matter faculty to raise awareness of learning analytics, data governance, student privacy, and intellectual freedom.

If we believe in the broad applicability of information literacy knowledge practices and dispositions, including the fundamental role of privacy as a condition for intellectual freedom, we must model these intellectual behaviors in our work beyond the library classroom threshold. Increasing capabilities for student data capture are producing institutional data hoards in search of a purpose—a state opposed by emerging best practices of data minimization and governance posited both within and without the academic library. Librarians are uniquely positioned to bring these issues to the fore of institutional initiatives involving assessment, system configuration, and strategic planning. In applying our disciplinary knowledge to the realization of academic freedom in our parent institutions, librarians demonstrate value beyond that of our research instruction and information services. Our consistent and unwavering advocacy for intellectual freedom also contextualizes library assessment practices that prioritize student privacy and agency. This full spectrum of value we contribute to our
parent institutions should serve as the basis for library assessment and institutional investment in the library.

**Extending Our Branches: Enacting Library Ethics in Assessment**

The academic library mission should serve institutional priorities in ways that are consistent with our professional code of ethics and the guidelines, standards, and frameworks advanced by ACRL. By extension, library assessment initiatives should not only reflect these principles, but also effectively evaluate our enactment of them. Affirming the library’s privacy policy and engaging in institutional privacy advocacy serve as the foundation for ethical, effective, and meaningful library assessment. Academic libraries must recognize our qualitative value as well as our quantitative value and give voice to those qualities that tell the whole story of the library and its contributions to institutional goals. If intellectual freedom is the primary motif of that story, it must not be compromised in the telling; to the contrary, upholding intellectual freedom and protecting privacy and confidentiality are library activities we should assess.

Contemporary library assessment trends are explicitly derived from business metrics and prioritize the library’s impact on individual student achievement, weakening our ability to convey our value as a common good. Moreover, quantitative academic library assessment practices overly rely on the surreptitious retention of students’ clickstream data and data exhaust, and on correlational methods yielding findings of questionable practical significance. As academic libraries design, implement, and update assessment practices, we must take special notice when these practices involve the retention of patron-generated data beyond its primary purpose of enabling the core library functions of circulation and authentication to electronic content. Is it truly worth compromising our commitment to intellectual freedom and our core values of privacy and confidentiality to discover that the number of databases students use correlates with the number of e-journals they access and with their enrollment in introductory library research courses? Academic librarians must apply a critical cost-benefit analysis to the use of patron analytics in assessment.

Oakleaf asserts that “the data we collect represents what we value about ourselves and how others will judge us.” I propose a corollary: the manner in which we collect data represents what we value about ourselves and how others will judge us. While I am critical of an overreliance on the low-hanging fruit of patron data capture for purposes of library assessment, I am not opposed to patron analytics in total; rather, I simply suggest that we seek students’ informed consent for this data capture and endeavor to contextualize transactional statistics with qualitative information.

Privacy by Design provides a useful framework for the design of library assessment practices and configuration of library systems that retain and make use of students’ library data. Privacy by Design is a positive-sum approach that prioritizes individuals’ privacy and agency, ensures transparency and accountability in data collection, enacts
data governance strategies that support data security across the data life cycle, and provides mechanisms for users to consent to or opt out of data capture and to seek redress of privacy concerns. Enabling students to opt out of data collection certainly impacts the integrity and “bigness” of the resulting data set; however, the cost-benefit analysis of opt-out mechanisms is surely in favor of preserving intellectual freedom and informed patron choice in the face of statistical validity of assessment data. Acknowledging participants’ self-selection bias resulting from informed consent to contribute data to library assessment is an acceptable way to qualify the limitations of the resulting data capture. I applied the Privacy by Design framework to library assessment indicators to propose a system that seeks qualitative as well as quantitative input (see table 4.1).

Table 4.1
Privacy by Design and Fair Information Practices for Library Assessment

<table>
<thead>
<tr>
<th>Principles of Privacy by Design</th>
<th>PbD Fair Information Practices for Library Assessment</th>
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<tbody>
<tr>
<td>Proactive, not reactive; preventive, not remedial</td>
<td>Library assessment plan complies with library privacy policy and data governance plan. Privacy, confidentiality, and intellectual freedom performance indicators are evaluated in library assessment.</td>
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<tr>
<td>Privacy as the default</td>
<td>Patron data used or collected is for specific, limited purposes (beyond core library operations, such as circulation and authentication). The purposes of data collection are communicated to patrons in privacy disclosures. Patron data collection is limited, and collection of personally identifiable information is subject to data minimization procedures. Patron data is securely destroyed when the specific, limited purpose is achieved.</td>
</tr>
<tr>
<td>Privacy embedded into design</td>
<td>Systems are configured to restrict patron data retention, access, and sharing to specific, limited, disclosed purposes and user roles. Cybersecurity mechanisms, such as encrypted data storage and communication over https, are in place.</td>
</tr>
<tr>
<td>Full functionality—positive-sum, not zero-sum</td>
<td>Library assessment methods are designed to promote and respect patrons’ privacy choices, including active (opt-in) or passive (opt-out) consent mechanisms. Creative assessment strategies, including qualitative methods, complement patron analytics.</td>
</tr>
<tr>
<td>End-to-end security—life cycle protection</td>
<td>Retained patron data is stored, and eventually destroyed, securely. The library has a breach response plan to notify affected patrons of patron data security breaches.</td>
</tr>
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### Principles of Privacy by Design

<table>
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<tr>
<th>Visibility and transparency</th>
<th>PbD Fair Information Practices for Library Assessment</th>
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<tbody>
<tr>
<td>Patron data collection complies with posted library privacy policies.</td>
<td></td>
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<tr>
<td>Summary library assessment results and plans for improvement are shared with patrons and other stakeholders.</td>
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<tr>
<td>Sharing of patron data with third parties outside the library is disclosed. Patrons are able to opt out of data sharing.</td>
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<tr>
<th>Respect for user privacy</th>
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<tr>
<td>Active (opt-in) or passive (opt-out) consent is secured for patron data use, retention, and sharing beyond core library operations.</td>
<td></td>
</tr>
<tr>
<td>Care is taken to ensure the accuracy of patron data. Patrons have the ability to access, review, amend, and request destruction of their individual data.</td>
<td></td>
</tr>
<tr>
<td>Mechanisms are in place to facilitate redress of patron privacy concerns.</td>
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Prevailing library assessment data, including transactional data, library survey instruments like LibQUAL+, institutional survey instruments like NSSE and CCSSE, student and graduate satisfaction surveys, and even anonymized and aggregated librarian evaluation data serve to convey the “what” of library activity, but fall short of elucidating the “why.” Qualitative data is integral to our ability to tell the whole story of the academic library; it allows us to interpret quantitative data and conveys the humanist meaning and value of our work with students and within our institutions. Furthermore, qualitative data gathered from focus groups, testimonials, advisory committees, feedback forms, and self-studies results from transparent data collection practices free of the taint of surreptitious clickstream data capture. Resolving the ethical conflict between intellectual freedom and patron analytics inspires us to more transparent, qualitative assessment practices that not only inform patrons of and respect their privacy choices, but also produce more nuanced, interesting, meaningful, and actionable library assessment data.

### The Fruit Does Not Fall Far: Intellectual Freedom for and with Our Students

Underpinning my concern about academic library assessment practices is a deep-seated commitment to students’ intellectual freedom. I assign a broad definition to intellectual freedom as the right to nonconformity, ensured practically by library professionals’ “long-standing commitment to an ethic of facilitating, not monitoring,
access to information.” Patrons entrust their research interests, curiosities, untested hypotheses, knowledge gaps, and other information habits to us; our stewardship of their epistemological and ontological development, in keeping these activities in confidence, is what differentiates our information services from those offered by commercial entities in exchange for the ability to exploit users’ behavioral data.

Privacy and intellectual freedom are values born of a particular individualist sociocultural legacy; consequently, they are dynamic, evolving dialectically with developments in technology and shifts in social expectations. The academic library community has proposed that learning analytics in the K–12 education system have primed postsecondary students to be “well adjusted to predictive analysis.” Within two years of this supposition, accounts from the UK’s Open University indicate that some students are “horrified” by the extent of learning data capture—in spite of access to disclosures about the institution’s learning analytics initiatives. Furthermore, professional guidance explicitly cautions librarians against the assumption that patrons no longer value privacy, compels us to share “the truth and some options” about patron data use, and charges us to teach and advocate for intellectual freedom in the academy.

Concurrent with my advocacy for student privacy in library assessment and college-wide learning analytics initiatives at DCCC is an intentional effort to incorporate intellectual freedom concepts in my lesson plans and reference consultations with students. I use the filter bubble phenomenon, big data consumer profiling, workplace monitoring, Internet of Things, electronic domestic surveillance, and the chilling effect of self-censorship as sample topics or case studies in information literacy sessions; offer stand-alone workshops on big data, learning analytics, FERPA and student privacy rights, and First Amendment considerations for college students; and coordinate DCCC Library Services’ observation of Banned Books Week in September and Choose Privacy Week in May. I seek opportunities to explain differences in relevancy ranking between library databases and commercial search engines during reference service; acknowledging that, while a subscription database might fail to place the most useful article on the first page of results, it will not engage in the kind of user profiling, search engine bias, and Internet censorship that characterize commercial web search tools. Students appreciate this behind-the-curtain insight into the inner workings of communication and research technologies; some are even inspired to investigate these phenomena in their research assignments.

Our purpose as academic librarians is to cultivate students’ information autonomy; to encourage the habits of mind that underpin conscious observation of the world, the capacity to question the natural and social forces shaping one’s experience of reality, the facility for seeking credible information and applying it to interpret these experiences, the self-efficacy to induce abstract concepts and deduce reasoned conclusions, and the will to engage with the world so as to shape it for the better. My informal contact with students on campus provides a constant reminder that there are as many teachable moments beyond the classroom as inside it; students observe our behaviors and decipher our institutional policies for evidence of whether we embody the values we espouse from
the lectern, of whether the principles and skills we teach are, in fact, applicable in the “real” world outside the ivory tower. The dispositions we shape as academic librarians decide the fate of intellectual freedom and the future viability of the participatory political system it underpins.\footnote{71}

**Leveraging the Findings**

The professional self-reflection, intra- and interdisciplinary scholarly communication, library assessment planning, institutional service, and instructional strategies described in this case study constitute preparation for the “moving” phase of adoption\footnote{72} and implementation of practical library assessment methods, and for development of library-specific and college-wide student data governance plans, that prioritize intellectual freedom. In consultation with the dean of educational support services, I developed a multiyear professional action plan (table 4.2) that brings these initiatives to fruition. This plan leverages the library and Learning Commons as a pilot site for privacy-aware assessment and patron analytics initiatives, providing proof-of-concept and a model for scaling student privacy initiatives up and across the institution.

**Table 4.2**

Intellectual Freedom Organizational Change Action Plan

<table>
<thead>
<tr>
<th>Year</th>
<th>Initiatives</th>
<th>Outcomes</th>
<th>Collaborators</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-18</td>
<td>Library assessment plan</td>
<td>Propose library assessment practices that are consistent with the core library values of privacy, confidentiality, and intellectual freedom.</td>
<td>Dean of Educational Support Services</td>
</tr>
<tr>
<td></td>
<td>Learning Commons professional development on FERPA and student privacy</td>
<td>Propose opt-in or opt-out mechanisms for collection of patron data to be used in library assessment or for purposes beyond core library operations.</td>
<td>Coordinator of Tutoring Services</td>
</tr>
<tr>
<td></td>
<td>Learning Commons privacy audit</td>
<td>Develop and implement FERPA and student privacy training with Learning Commons faculty and staff to build a culture of privacy awareness.</td>
<td>Faculty librarians</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Convene a representative, cross-functional working group to document student data used and collected by Learning Commons functions, including library services, tutoring and writing services, and facility and network security apparatus.</td>
<td>Learning Commons support staff</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Learning Commons student workers</td>
</tr>
<tr>
<td>Year</td>
<td>Initiatives</td>
<td>Outcomes</td>
<td>Collaborators</td>
</tr>
<tr>
<td>------------</td>
<td>------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2018–19</td>
<td>Learning Commons patron data governance plan</td>
<td>Convene a representative, cross-functional working group to derive a Learning Commons data governance plan from the results of the privacy audit (this may, or may not, be the same working group that performed the privacy audit).</td>
<td>Dean of Educational Support Services</td>
</tr>
<tr>
<td></td>
<td>Learning Commons privacy guidelines</td>
<td>Interpret the internal data governance plan as patron-facing Learning Commons privacy guidelines.</td>
<td>Coordinator of Tutoring Services</td>
</tr>
<tr>
<td></td>
<td>Alignment of library assessment plan</td>
<td>Amend the library assessment plan for compliance with the Learning Commons data governance plan, as needed.</td>
<td>Faculty librarians</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Learning Commons support staff</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Learning Commons student workers</td>
</tr>
<tr>
<td>2019–20</td>
<td>Library assessment implementation</td>
<td>Conduct data collection and analysis phase of library assessment plan.</td>
<td>Dean of Educational Support Services</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Faculty librarians</td>
</tr>
<tr>
<td>Long-term</td>
<td>Promote student privacy as a strategic initiative for the college.</td>
<td>Engage the strategic planning cycle to situate student data security as an institutional “threat” and privacy as an “opportunity” in SWOT analysis and goal planning.</td>
<td>Office of the President, including Assistant to the President for Strategic Planning</td>
</tr>
<tr>
<td>goals</td>
<td>Implement college-wide professional development about FERPA and student privacy.</td>
<td>Propose student privacy as a subject of professional development; develop FERPA and privacy training internally, or identify, evaluate, and recommend external privacy training services.</td>
<td>DCCC College Advisory System</td>
</tr>
<tr>
<td></td>
<td>Coordinate a college-wide student privacy audit.</td>
<td>Using the Learning Commons privacy audit as a model, leverage campus partnerships to conduct a college-wide student data audit.</td>
<td>Professional Development Committee</td>
</tr>
<tr>
<td></td>
<td>Develop a student data governance plan for DCCC.</td>
<td>Derive an institutional data governance plan from the results of the privacy audit.</td>
<td>DCCC Office of Information Technology</td>
</tr>
<tr>
<td></td>
<td>Update the college’s Policy on Student Confidentiality.‡</td>
<td>Propose changes to the college’s Policy on Student Confidentiality through the College Advisory System of shared governance, as indicated by the privacy audit and data governance plan.</td>
<td>DCCC Institutional Effectiveness</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>DCCC Office of the Provost, including student success initiatives utilizing learning analytics</td>
</tr>
</tbody>
</table>
Reflection

The recognition of learning analytics as a form of surveillance, and the conviction that surreptitious retention and use of patron data for library assessment is antithetical to librarianship’s promotion of intellectual freedom, culminates a decade of my working in academic libraries and constitutes a pivotal actualization of my professional identity as a librarian. These opinions, formed through reflective analysis of the impact of technology on community college librarianship, directly substantiated by scholarly communication in library science, the humanities, social sciences, and computer and information sciences and validated by the principles and guidance produced by the American Library Association and Association of College and Research Libraries, nevertheless regularly put me at odds with my colleagues in the library, my supervisor’s and parent institution’s assessment priorities, many projects promoted through the Value of Academic Libraries initiative, and the prevailing technopositivism of higher education. My scholarship and commentary on student surveillance in academic libraries and the academy have been characterized as alarmist, anachronistic, antagonist, blunt, curmudgeonly, impractical, and politicized—nevertheless, the ideas persist. Colleagues I turn to for mentorship have advised greater moderation, political sensibility, and self-censorship in my advocacy for student privacy and intellectual freedom. Allusions to my tenure progress, institutional fit, and inadequacy as a cultural change agent force me to acknowledge that the stakes—professionally and personally—are high.

But ethics and cultural value systems frame our individual efforts in a bigger picture, connecting us to something larger than ourselves, situating our present efforts at the nexus of past and future, and imbuing our lived experiences with deeper meaning. I feel I have no choice but to uncompromisingly fulfill the core values of librarianship in my instruction and information services—and in the manner in which I assess my work to achieve continuous improvement. I remain “explicitly committed

<table>
<thead>
<tr>
<th>Year</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Long-term goals</td>
<td>Advocate for student privacy as an object of institutional action and assessment.</td>
<td>Work with Institutional Effectiveness to implement methods of assessing the college’s compliance with its data governance plan, and share results with the college community.</td>
<td>DCCC College Advisory System, including Assessment Processes Committee, Institutional Resources Technology Advisory Subcommittee, and the Student Affairs Committee</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Board of Trustees</td>
</tr>
</tbody>
</table>

to intellectual freedom” and to fulfillment of my “special obligation to ensure the free flow of information and ideas to present and future generations.” In an information environment characterized by algorithmic censorship, politicized journalism and propaganda, and ubiquitous state-sponsored, corporate, and social surveillance, the stakes—socially and culturally—are even higher.

There is much work to be done in restoring the public’s awareness and value of intellectual freedom, and it begins at home—in our own libraries. Surveillance in and by the academic library is the professional crisis and opportunity of our time. As librarians, we are called to advocate, educate, and evaluate for intellectual freedom. Our collective response to this call indicates the well-being of the informed citizenry we serve today, and its prospect in the future.

Notes


48. See Context section, above.

49. EDUCAUSE, Seven Things You Should Know About… How Learning Data Impacts Privacy (Lou-

63. See Context section, above.


56. Soria, Fransen, and Nackerud,,”Library Use and Undergraduate Student Outcomes,” 154.

57. Oakleaf, "Activity #12: Library Data Audit."

58. Cavoukian, "Privacy by Design."


61. Hartman-Caverly, “Our ‘Special Obligation.’”


68. American Library Association, “Developing or Revising a Library Privacy Policy.”


71. Association of College and Research Libraries, “Information Has Value”; American Library Asso-
cation, “Professional Ethics.”


74. American Library Association, “Professional Ethics.”


76. American Library Association, “Professional Ethics.”

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Institutional Effectiveness, Delaware County Community College. “2016 Fall Third Week Credit Enrollment Report.”


