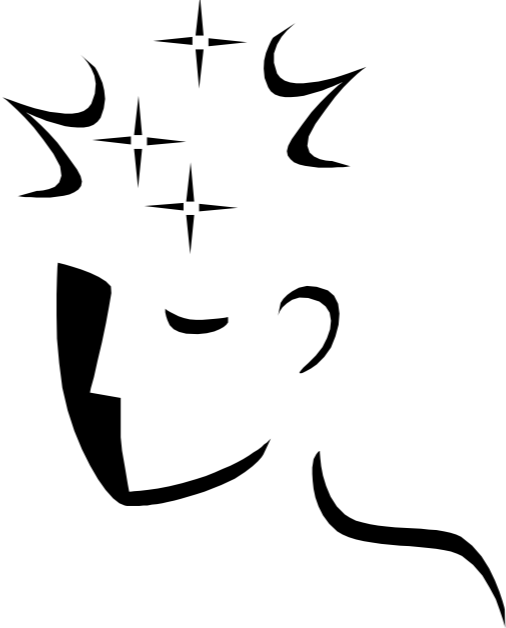
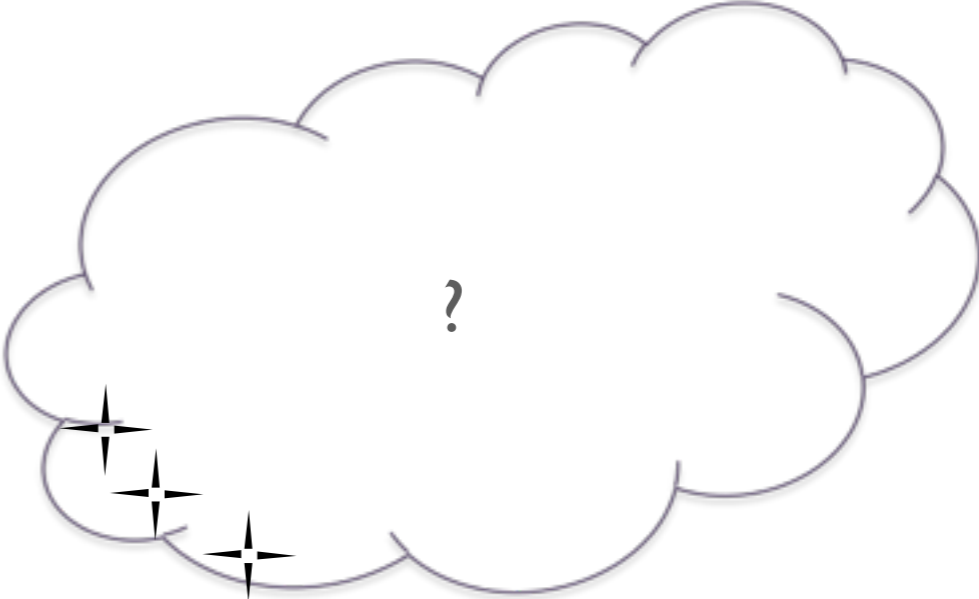




privacy and security





no local storage  
∴ everything is an SEP

no:

os to install and patch  
apps to install or update  
backups to perform  
need to secure data  
data loss w device loss



→ woo and even hoo !

boo ! ←



on the other hand ...  
it's still your problem if  
things change or they  
don't work for you

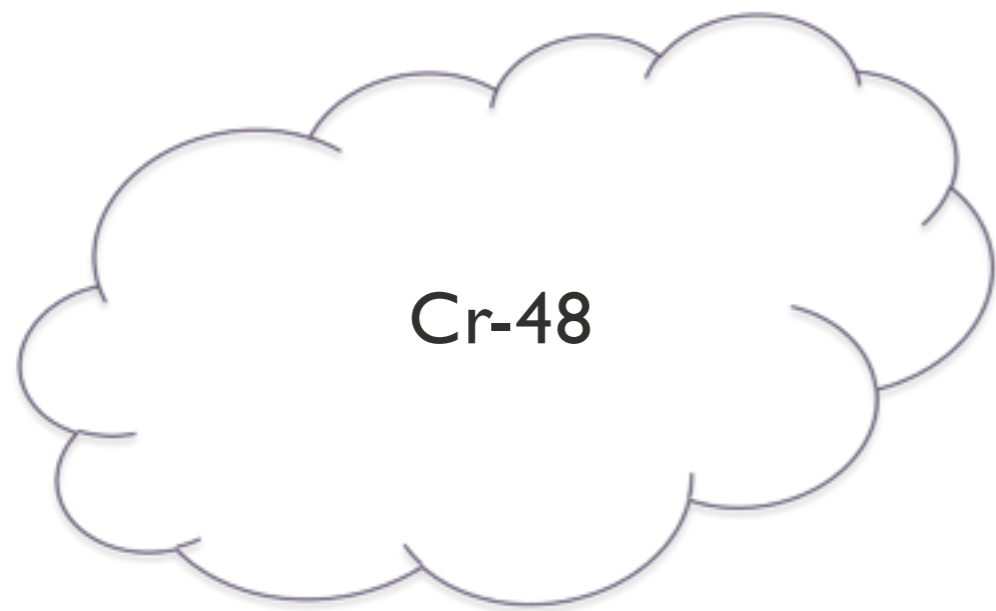
apps or services

companies

access

flying without wifi?

isp metered use?



Cr-48

due diligence for data

confidentiality

integrity

availability



→ the what

due diligence for data

contractual

exit stage right

compliance

legal, policy and social norms



→ the how

due diligence for data  
contractual

Most transitions to a cloud computing solution entail a change from a technically managed solution (“I build it, I maintain it”) to a contractually managed solution (“Someone else is doing this for me; how do I ensure they're doing what they're supposed to?”).

If It's in the Cloud, Get It on Paper:  
Cloud Computing Contract Issues

Thomas J. Trappler, EDUCAUSE Quarterly (v33, n2, 2010)

due diligence for data

contractual

service level agreement issues: minimum levels, remedies, etc., and your rights to audit compliance.

data: ownership by the institution and your rights to get it back.

use of service: your rights and cost to continue and discontinue using the service.

due diligence for data

exit stage right

data: ownership by the institution and your rights to get it back.

use of service: your rights and cost to continue and discontinue using the service.

due diligence for data

exit stage right

skills and infrastructure: still available internally?

data: ownership by the institution and your rights to get it back.

use of service: your rights and cost to continue and discontinue using the service.

due diligence for data

restricted data

ucla policy 404

breach notification

compliance

without a uc-negotiated contract, you're subject to both the provider's terms and uc's policies

due diligence for data

compliance

without a uc-negotiated contract in place...

assume information may become public  
or may never be deleted

make sure you can produce records

understand what you've signed away by using the  
standard t's & c's

if a subpoena or search warrant involves your  
information, don't expect to be notified first

you get what you pay for

due diligence for data

what's on your local drive and what's out in the cloud are not seen the same way in the eyes of the law.

legal, policy and social  
norms

due diligence for data

The University does not examine or disclose electronic communications records without the holder's consent.

UC Electronic Communications Policy

legal, policy and social  
norms

... but what about public records act requests ... ?





uc privacy and information security initiative

is the bar for protecting privacy (still) set appropriately?

## foundational questions

1. how does the University balance the civil liberty of privacy with its many values and obligations?
2. do we have a single policy for all, or different policies for different communities and/or different types of data?
3. is incidental personal use a right, a privilege or something else?
4. what is the University's level of risk tolerance, especially for regulatory compliance?
5. how does the University determine appropriate ownership of, and access to, data by individuals, campuses, the Regents and external entities?

if you have nothing to hide

then what do you have to fear?\*

\*Daniel J. Solove: *Nothing to Hide: The False Tradeoff  
Between Privacy and Security*, Yale, May 2011.



**Privacy: Big Brother  
Big Mother  
Due Diligence  
and the  
Consequence of Failure**

**Kent Wada, UCLA**

**CENIC 2011**  
**EXPANDING OUR HORIZONS**  
Irvine, California -- March 7-9

The UCLA logo, consisting of the letters "UCLA" in a bold, blue, sans-serif font, is centered within a white rectangular box.

kent wada

director, strategic it and privacy policy  
office of information technology

uc policy developments regarding privacy and  
security in the cloud

uc cloud summit 2011

ucla, april 19, 2011

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## If It's in the Cloud, Get It on Paper: Cloud Computing Contract Issues

[http://www.educause.edu/EDUCAUSE+Quarterly/  
EDUCAUSEQuarterlyMagazineVolum/IfItsInTheCloudGetItOnPaperClo/206532](http://www.educause.edu/EDUCAUSE+Quarterly/EDUCAUSEQuarterlyMagazineVolum/IfItsInTheCloudGetItOnPaperClo/206532)

## UCLA Policy 404: Protection of Electronically Stored Personal Information

<http://www.adminpolicies.ucla.edu/app/Default.aspx?&id=404>

## Guidance on the Use of Cloud Apps by Individuals (early draft)

<http://kent.bol.ucla.edu/temp/cloudapps-20100729.pdf>

## UC Electronic Communications Policy

<http://ucop.edu/ucophome/policies/ec/>

## Kent's CENIC privacy talk

[http://cenic2011.cenic.org/stream/archive/cenic2011\\_weds\\_pacific/  
PrivacyBigBrother,BigMother,DueDiligenceandtheConsequenceofFailure\\_640x36  
0.mp4](http://cenic2011.cenic.org/stream/archive/cenic2011_weds_pacific/PrivacyBigBrother,BigMother,DueDiligenceandtheConsequenceofFailure_640x360.mp4)

## UC Privacy and Information Security Initiative

<http://universityofcalifornia.edu/privacyinitiative>

resources