

## ELANA ZEIDE

University of Nebraska Colleges of Law & Engineering  
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### ACADEMIC APPOINTMENTS

**University of Nebraska-Lincoln Colleges of Law and Engineering**, Assistant Professor, 2020-  
Law Courses: Privacy Law (Fall 2020, Spring 2022-23), Legal Profession (Spring 2021-23),  
Adv. Torts (Fall 2021-22), Technology Governance Workshop (Fall 2022)  
Engineering Courses: Legal Considerations for Engineering Managers (Spring 2021-23)  
Multidisciplinary Courses: Technology Law: Concepts (Fall 2021-23, Spring 2022-23)

**UCLA School of Law**, PULSE Fellow in Artificial Intelligence, Law & Policy, 2018–2020

**Seton Hall University School of Law**, Visiting Assistant Professor, 2017–2018  
Courses: Trademarks; Entertainment & New Media; Big Data, Robots, AI & the Law

**Princeton University, Center for Information Technology Policy**, Associate Research Fellow, Technology  
and Society Group Leader, 2016–2018

**University of Colorado Boulder School of Law**, Silicon Flatirons, Affiliate, 2020–

**Yale Law School, Information Society Project**, Visiting Fellow, 2016–2018, Fellow, 2018-

**New York University, Information Law Institute**, Microsoft Research Fellow, 2013–2016

**Yale College**, Visiting Lecturer, Freedom of Speech & the First Amendment, Spring 2007, 2008

### EDUCATION

**New York University School of Law**, J.D., 2005; LL.M in Taxation, 2012  
Florence Allen Scholar (Top 10% after four semesters)  
New York University Law Review, Notes Editor

**Columbia University, School of the Arts**, M.F.A. in Nonfiction Writing, 2003  
Claire Woolrich Fellowship

**Yale University**, B.A. with Distinction, American Studies, *cum laude*, 1996  
Wallace Prize for Nonfiction Writing  
*Yale Journal of Ethics*, Founding Editor and Publisher

### PUBLICATIONS AND WORKS IN PROGRESS ([SSRN](#))

**Education Fiduciaries** (work-in-progress)

**Prediction's Problems** (work-in-progress)

**Student Privacy Redux: Panics, Parents, and Problems** (work-in-progress)

**Children, education, and technologies: current debates, key concerns, future directions around data privacy, surveillance and datafication**, *Paediatrics*, forthcoming (with V Hillman, J Manolev, P Kumar, F Martin, S-K Johnston, G Vladova, R Lai)

**Remote School Surveillance and the Fourth Amendment**, forthcoming *Villanova L. Rev.* (Nov 2023).

**The Silicon Ceiling: How Artificial Intelligence Constructs an Invisible Barrier to Opportunity**, 91 *UMKC L. Rev.* 403 (2023)

**Big Proctor: Online Proctoring Problems and How FERPA Can Promote Student Data Due Process**, 3 *Notre Dame J. on Emerging Techs.* 74 (2022)

**Robot Teachers, Pedagogy, and Policy**, in *The Oxford Handbook of Artificial Intelligence & Ethics* (2020)

**Artificial Intelligence in Strategic Context: An Introduction**, *AI PULSE* (2019) (with Edward Parson et al.)

**Learner Privacy in MOOCs and Virtual Education**, 16 *Theory and Research in Education* 280 (2018) (with Helen Nissenbaum)

**Education Technology & Student Privacy**, in *The Cambridge Handbook of Consumer Privacy* (2018)

**The Structural Consequences of Big Data-Driven Education**, 5 *Big Data* 164 (2017)

**The Limits of Education Purpose Limitations**, 71 *U. Miami L. Rev.* 493 (2017)

**Unpacking Student Privacy**, in The Society for Learning Analytics' *Handbook of Learning ANALYTICS* (2017)

**Student Privacy Principles for the Age of Big Data: Beyond FERPA and the FIPPs**, 8 *Drexel L. Rev.* 339 (2016)

**The Legal and Privacy Implications of Data Mining**, in *Business Analytics: An Introduction* 225 (2012)

**In Bed with the Military: First Amendment Implications of Embedded Journalism**, 80 *NYU L. Rev.* 1309 (2005); reprinted in the Reporters Committee for Freedom of the Press *First Amendment Law Handbook* (2006)

## PROFESSIONAL EXPERIENCE

**Law Offices of Elana Zeide**, Principal, Media and Privacy Law, 2010–2013

**Bloomberg Media**, Legal Analyst, 2009–2010

**Cravath, Swaine & Moore, LLP**, Associate, 2005–2008; Summer Associate, 2004

**Hon. John G. Koeltl, U.S. District Court, S.D.N.Y.**, Intern, 2003

**Writer & Editor**, 1996–2002

Published in *The Sunday Times*, *The Literary Review*, *Rolling Stone*, *New York Magazine* and more

## INVITED PRESENTATIONS, PANELS, AND CONFERENCES

**Privacy Law Scholars Conference**, University of Colorado Boulder, June 2023

**GETS Conference**, Arizona State University, May 2023

**Consumer Privacy Scholars Conference**, Berkeley College of Law, March 2023  
Discussant

**Big Ideas in Privacy**, University of California Los Angeles, November 2022  
Discussant

**Tech Refactored Podcast**, Nebraska Governance and Technology Center, 2020-22  
Guest on episodes: Introduction, “Zoom” School, “Sharenting,” Life After Graduation

**Learning Surveillance**, The Road to Domination?: The Open Society and New Technologies, The Open Society University Network, Central European University, April 2022

**Ed Tech Surveillance in Classrooms and on Campus**, Symposium on Surveillance and Education, Berkeley School of Information and the Othering & Belonging Institute, April 2022

**Explainer on Artificial Intelligence in Education**, *Educause Review*, April 2022

**Women in Technology**, Notre Dame Journal on Emerging Technology, Artificial Intelligence: Bridging Law and Technology, April 2022

**The Social Life of Algorithms Workshop**, Data and Society Research Institute, March 2022

**A Rights-Based Approach to Online Economic Exploitation of Children**, Holli Sargeant, Technologies of Deception, Yale School of Law, Commentator, March 2022

**Artificial Intelligence Fundamentals**, Understanding Digital Data Flows, Feb. 2022

**Biosurveillance and Civil Liberties During the Pandemic**, American Association of Law Schools Annual Meeting, Internet and Computer Law Section, Jan. 2022

**Algorithms in the Academy: Surveillance, Evaluation, and Risk Assessment at Universities**, American Association of Law Schools Annual Meeting, Internet and Computer Law Section, Jan. 2022

**Advancing Equal Protection and Civil Justice**, White House Office of Science and Joint Center for Political and Economic Studies, Nov. 2021

**Privacy Papers for Policymakers Presenter**, Future of Privacy Forum, Feb. 2021

**“Inclusive Workforce” Panel and White Paper**, University of California, Berkeley, Center for Information Technology Research in the Interest of Society, Sept. 2020

**AI in Education**, Future of Privacy Forum, Presenter, July 2020

**The Silicon Ceiling**, Privacy Law Scholars’ Conference, June 2020

**From Education Technology to Contact Tracing Apps: Technology Safeguards During the Pandemic**, University of Washington, May 2020

**The Future of Work**, UCLA Anderson School of Business, March 2020

**AI and Justice in 2035 Roundtable**, UCLA School of Law, March 2020

**Cognition and Education**, ACM Conference on Fairness, Accountability, and Transparency, ACM FACcT, Session Chair, Jan. 2020

**The Silicon Ceiling**, Northeast Privacy Scholars’ Conference, Princeton, Nov. 2019

**Expert Group Meeting on New Information Technologies and Effects on Racial Equality**, Promise Institute for Human Rights and the UCLA Center for Critical Internet Inquiry, as contribution to a UN Report compiled by the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, Oct. 2019

**Legal Tech, A Dive into AI for Lawyers**, UCLA School of Law, Oct. 2019

**Summer Institute on AI and Society**, Canada Institute for Advanced Research, the AI PULSE Program at UCLA School of Law, and Alberta Machine Intelligence Institute, Faculty, June 2019

**Ethical Guidelines for Artificial Intelligence**, Baker McKenzie, May 2019

**What Sci-Fi Futures Can (and Can't) Teach us about AI Policy**, New America, May 2019

**Explainable Artificial Intelligence: Can We Hold Machines Accountable?**, University of Colorado, Participant, May 2019

**Deep Fakery: Mathematical, Cryptographic, Social, and Legal Perspectives**, UCLA's Institute for Pure and Applied Mathematics, Participant, March 2019

**Artificial Intelligence in Education: Legal Considerations and Ethical Questions**, Workshop on the Ethics and Policy Implications of Algorithms and Big Data, University of California, San Diego, Feb. 2019; Educause Webinar, Jan. 2019

**Youth Skills for Sustainability and Innovation**, World Youth Skills Day, United Nations, June 2018

**The Future Human Futures Market**, Yale Law School Information Society Project, July 2018; Privacy Law Scholars Conference, June 2018

**The Ethics of Artificial Intelligence**, Georgetown University, Apr. 2018

**Artificial Intelligence and the Law Conference**, Seton Hall School of Law, Apr. 2018

**Robot Teachers & Automated Education**, UCLA PULSE, Artificial Intelligence in Strategic Context Workshop, Apr. 2018

**Emerging Issues in Artificial Law and Intellectual Property**, International Association of Intellectual Property Law, Nov. 2017

**Workshop on COPPA in Schools Workshop**, Federal Trade Commission and U.S. Department of Education, Nov. 2017

**Artificial Intelligence: A Primer for Legal Practitioners**, Seton Hall University School of Law, Oct. 2017

**Personalized Learning & Robot Teaching as Public School Infrastructure**, Privacy Law Scholars Conference, June 2017

**Professors and the Permanent Record**, Princeton University, Program in Law & Public Affairs, May 2017

**Ethical Use of Big Data in Education**, Princeton University, Center for Information Technology Policy, Oct. 2016

**Student Privacy: The Big Picture on Big Data**, American Library Association Annual Conference, June 2016

**The Credentialing Effect: Implications of Ubiquitous Capture and Constant Assessment**, Privacy Law Scholars Conference, June 2016

**Implications of Data-driven Education**, Technology, Privacy, & Future of Education Symposium, Privacy Research Group, New York University, May 2016

**The Accidental Consequences of Data Privacy Legislation**, SXSWedu, Mar. 2016

**Student Privacy & Big Data: The Status Quo, Implications & Considerations**, The Future of Privacy Forum Advisory Meeting, Apr. 2016; Data & Society Research Institute, Feb. 2016; University of Miami, The Constitution on Campus Conference, Feb. 2016

**Student Data: Dos, Don'ts, and Dilemmas**, New York University, Learning Analytics Working Group, Jan. 2015

**The Current State of Online Privacy**, Federal Trade Commission PrivacyCon, Jan. 2016

**The Potential Risks of Student Data Collection and Use**, National Student Privacy Symposium, Oct. 2015; The Future of Privacy Forum Advisory Meeting, Apr. 2015

**Learner Privacy and MOOCs**, University of Haifa, Open Textbook Workshop: Learning, Design and Surveillance, June 2015

**The Governance of Information in Education**, Microsoft Corp, Apr. 2015

**The Algorithmic Future of Education**, New York University, Algorithms & Accountability Conference, Feb. 2015

**Student Privacy in Context: FERPA and Information Flow Beyond the Ivory Tower**, Privacy Law Scholars Conference, June 2014; New York University, Privacy Research Group, Mar. 2014

## PROFESSIONAL, POLICY, AND POPULAR PUBLICATIONS

**Artificial Intelligence in Higher Education: Applications, Promise and Perils, and Ethical Questions**, 54 *EDUCAUSE Review*, Aug. 2019

**Student Data Privacy: Going Beyond Compliance**, *National Association of State Boards of Education State Education Standard*, May 2016

**19 Times Data Analysis Empowered Students and Schools**, *The Future of Privacy Forum*, Mar. 2016

**Comments Regarding Big Data: A Tool for Inclusion or Exclusion?** (with Helen Nissenbaum), *Federal Trade Commission*, Oct. 2015

**Algorithms make Lousy Fortunetellers**, *Slate*, May 4, 2015

**Data & Civil Rights: Education Primer** (with Andrea Alarcon et al.), *Data and Society Research Institute*, Oct. 2014

## UNIVERSITY AND COMMUNITY SERVICE

**University of Nebraska-Lincoln Colleges of Law**, 2020-

Long Range Planning Committee

Learning Outcomes Committee

Ad hoc ChatGPT Committee (2022-23)

Hiring Committee (2021-22)

Pro Bono and Building Committee (2020-21)

**Public Interest Privacy Consulting**, Advisory Board and Secretary, 2022-  
Advises government agencies, policymakers, companies, and other organizations on legal protections and actionable best practices to ensure the responsible use of child and student data.

**Voting Rights Volunteer**, Fall 2020

**UCLA School of Law**, 2018–2020

PULSE UCLAI meetings coordinator & event organizer  
PULSE Student Group advisor

**Seton Hall University School of Law, 2017–2018**

Gibbons Institute of Law, Science and Technology Fall presenter  
Dean's Technology Curricular Reform Task Force member  
Faculty Technology Law Workshop organizer  
Artificial Intelligence & the Law Conference organizer

**Princeton University, Center for Information Technology Policy, 2016–2017**

Technology and Society Reading Group organizer

**New York University School of Law, Information Law Institute, 2013–2016**

Technology, Privacy, & Future of Education Symposium organizer  
Algorithms and Accountability Conference organizer  
Privacy Research Group member

**Privacy Law Scholars' Conference, commenter, 2014, 2016, 2019, 2021**

*Trial By Fire: The Effects of Remote Proctoring Services on Privacy and Equity*, Lindsay Barrett  
*Black Parents and Child Privacy Protection*, Najarian Peters  
*Policy Recommendations for Learning Analytics in Higher Education*, Alan Rubel & Kyle Jones  
*Privacy in Education from Books and MOOCs*, Jules Polonetsky & Omer Tene

**AFFILIATIONS**

**Future of Privacy Forum**, Advisory Board Member, 2013–

**American Association of Law Schools Section on Defamation and Privacy**, Executive Committee, 2020-22

**Data & Society Research Institute**, Affiliate, 2013–18

**MacMillan Learning**, Impact Research Advisory Council (IRAC), 2016–2018

**Aspen Taskforce on Learning and the Internet**, *Trusted Learning Environment Guide* Committee, 2016

**Digital Media and Learning Trust**, Advisor, 2016

**Blackboard**, Taskforce for Framework and Standards for the Ethical and Legal Use of Artificial Intelligence in Higher Education, 2016

**Asilomar Convention for Learning Research in Higher Education**, 2014–2016

**BAR ADMISSIONS**

New York State, 2005