

New corporate players and educational policy: How might the Australian Competition and Consumer Commission help us to understand AI's associations with Educational Policy?

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The debate about AI and new terrains in educational policy must begin by reconceptualizing the role of the teacher as a data point. The massive growth of commercially curated educational data has unbalanced governance relationships (Ozga, 2009), creating a hybrid position whereby teachers' data whether at work or working from home, feeds contemporary forms of sales strategies. Strong sales strategies can drive the uptake of digital tools in the classroom, impacting and modulating the pedagogy and forms of assessment (Sunstein, Reisch & Rauber, 2017) in a Dataist State (Fourcade & Gordon, 2020). Insight sales refer to predicting future events to bolster sales, usually based on historical data through artificial intelligence models (Yu, Choi & Hui, 2011). Insight sales draw on historical sales data in association with context-specific data, to forecast what, when and how to best approach a consumer, with a solution to optimize recommendations and offer the best course of action. Machine interpretable and intangible to the teacher, insights sales is a commercial strategy that avoids responding to a perceived problem or deficit. Rather, artificial intelligence allows Insights Sales strategies to draw on the data to predict where problems or deficits may emerge (Michalewicz, et al., 2007). Thus the strategy advances "a disruptive solution because they target accounts where demand is emerging" (Adamson et al., 2012. p. 4), rather than where teachers may perceive it is. Albeit fundamentally driven by deficit rhetoric and de-

identified data, insight sales are assumed to be given the green light within policy and educational systems due to the broad and open acceptance of commercialization and commercial platforms that use cookies and other tracking devices.

Drawing on Fourcade and Gordon's examination of Statecraft in the Digital Age (2020), the article aims to expose how teachers' data is being used to feed new forms of decision making, obfuscated from the human teachers themselves. Firstly, the article details the ways teachers' data, as part of their working conditions, can be collected by exploring cookies and other tracking devices discussed by the Australian Competition and Consumer Commission (ACCC, 2019). By doing so, the size and scope of how cookies and other tracking technologies may uniquely identify teachers (Culnane & Leins, 2019) are related to teachers' use of edtech. Secondly, the article examines Insights Sales Strategies, as an approach that can effectively circumnavigate policy by considering the term 'personal information.' By doing so, the article draws on recommendations by the ACCC to argue that data collection and Insight Sales strategies are yet to be held to the same scrutiny as those who adhere to Codes of Conduct, various Merit and Equity frameworks, and potentially Privacy legislation in educational settings.