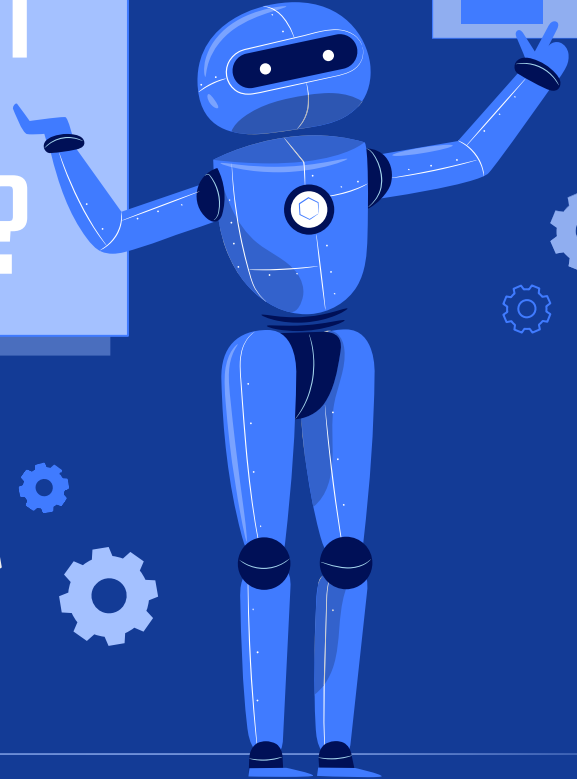


# What is Education

## Law 2-d?

Romulus CSD  
August 31, 2021





# Education Law 2-d

New York State Education Law Section 2-d and the Family Educational Rights and Privacy Act (FERPA) provide clear protections for student data.

This law's focus is promoting the least intrusive data collection policies that advance the goals of improving academic achievement, empowering parents with information and advancing efficient and effective school operations while minimizing the collection and transmission of personally identifiable information.

It requires that school districts create practices and policies that support data security throughout its daily operation.





# Part 121 of the Commissioner's Regulations

- Govern the implementation of Education Law 2-d
- Districts must follow in order to protect Personally Identifiable Information (PII)
- The goal is to strengthen data security and privacy



# Part 121 Regulations

## PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION (PII)



Regulations  
121.2 and  
121.5

Protect the confidentiality of personally identifiable information of students (FERPA) and personally identifiable information of teachers and principals (APPR)

## BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY



Regulations  
121.3

Adopt and post on website a Parents' Bill of Rights for Data Privacy and Security, with supplemental information about each written agreement with a third-party contractor (vendor) that involves disclosure of PII

## DATA SECURITY AND PRIVACY POLICY



Regulations  
121.5

Adopt and post a Data Security and Privacy Policy that includes adherence to the NIST Cybersecurity Framework to protect PII

# What is PII?

## PERSONALLY IDENTIFIABLE INFORMATION

Personally identifiable information (PII) includes information that can be used to distinguish or trace an individual's identity either directly or indirectly through linkages with other information.



**STUDENT NAME**



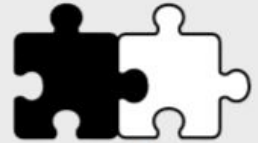
**PARENTS' NAMES**



**STUDENT ADDRESS**



**STUDENT NUMBER**



**LINKABLE INFORMATION**

# Part 121 Regulations

## NIST CYBERSECURITY FRAMEWORK



Regulations  
121.5

Apply the planning, processes, and categories of information protection defined within the NIST Cybersecurity Framework to district practices and systems

## THIRD-PARTY CONTRACTS



Regulations  
121.2, 121.3,  
121.6, 121.9,  
121.10

Whenever the educational agency discloses PII to a third-party contractor, ensure that the written agreement for using the product or services includes the language required by Education Law

## ANNUAL EMPLOYEE TRAINING



Regulations  
121.5 and  
121.7

Deliver annual privacy and security awareness training to all employees

# Part 121 Regulations

## UNAUTHORIZED DISCLOSURE COMPLAINT PROCEDURES



Regulations  
121.4

Create and publish a unauthorized disclosure complaint process

## INCIDENT REPORTING AND NOTIFICATION



Regulations  
121.10

Follow reporting and notification procedures when unauthorized disclosure occurs

## DATA PROTECTION OFFICER



Regulations  
121.8

Appoint a Data Protection Officer to oversee implementation of Education Law 2-d responsibilities

# District Policies and Procedures

- Limit the use of PII in emails, especially those sent to out-of-district address (like parents)
- Do not sign up for free trials of applications or websites without first discussing this with IT and Jenn
- Keep an accurate list of sites that your students use on a daily basis
- Use ClassLink to help facilitate logging in and tracking students use
- Immediately report suspicious emails or potential breach of data
- When in doubt--ask questions!





# THANKS

Does anyone have any questions?

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Data Protection Officer

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