

# POSSIBLE PROFILE OF A PART 121 DATA PROTECTION OFFICER

## ORGANIZATIONAL RELATIONSHIP

- It is recommended that the DPO's reporting structure provide access to leaders with decision making authority.
- It is recommended that the DPO/school district annually report on the agency's data security and privacy posture/performance to its Board.
- A DPO will need to collaborate with internal stakeholders (IT, information security, internal audit, school attorneys, etc.) to effectively fulfil this role.

## POSSIBLE DUTIES AND RESPONSIBILITIES

- ✓ Primary point of contact for data security and privacy.
- ✓ Implement privacy governance measures to manage the use of personally identifiable information to ensure compliance with Education Law §2-d (e.g. PII is only used for the benefit of students and the educational agency).
- ✓ Coordinate the implementation of the policies and procedures required under Education Law 2-d and Part 121.
- ✓ Monitor the educational agency's compliance with state and federal data privacy laws and regulations.
- ✓ Develop a procedure for parents and eligible students to file complaints about breaches or unauthorized releases of student data and for the complaints to be addressed.
- ✓ Facilitate the delivery of an annual information privacy and security awareness training.
- ✓ Review projects, contracts and procurements that will create, collect or process personally identifiable information for compliance (privacy impact and data security assessment)

## SOME SUGGESTED KNOWLEDGE, SKILLS AND ABILITIES

- Ability to gain a working knowledge of state and federal laws that protect personally identifiable information, including Education Law § 2-d, and FERPA.
- Ability to gain a working knowledge of basic data security and privacy concepts.
- Ability to interact effectively with people at all organizational levels of the agency.
- Ability to exercise leadership, influence change and implement solutions.
- Ability to handle confidential and sensitive information with discretion.