

Ed Law 2-d & Part 121

Ed Law 2-d is a NYS law that focuses on the privacy and security of student data as well as teacher and principal APPR data. Part 121 implements Ed Law 2-d and provides guidance to educational agencies and their third-party contractors on ways to strengthen data privacy and security to protect student data and APPR data.

Protection of PII



PII is personally identifiable information. Protected data can include student PII like demographics, enrollment, attendance, assessment scores, etc. Some teacher and principal APPR is also protected.

Parents' Bill of Rights

Must be published on district website. Required elements: data not sold, parental data review, protected data, complaint contact info, supplemental info for 3rd party contracts.



NIST Cybersecurity Framework

Framework that uses industry standards to provide a baseline of the cybersecurity environment. There are 5 main functions: identify, protect, detect, respond, recover.



Data Security & Privacy Policy

Must be published on the district website. Should include: NIST aligned practices, data governance, disclosure avoidance, state & federal laws, data protection officer, employee training, complaint procedures incident reporting & notification.



Annual Employee Training

Must annually provide information privacy and security awareness training to employees with access to PII.



Third Party Contracts

Districts must negotiate third party contracts for any company that is collecting student, teacher or principal PII. Must identify: how data is protected, where PII is stored, expiration date, data destruction, how they comply with laws, purposes for use.



Unauthorized Disclosure

Must establish and communicate how to file complaints about breaches or unauthorized releases of student, teacher or principal PII.



Incident Reporting

Must report every discovery or report of breach or release of PII to the chief privacy officer. Must notify impacted stakeholders using designated timeframes.



Data Protection Officer

Must appoint a data protection officer (DPO) for the district. The DPO will implement the district's data security and privacy program, in compliance with Ed Law 2d.



For more resources visit <https://riconedpss.org/resources>



Educational
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Genesee Valley
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