

# Policy

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SUPPORT OPERATIONS

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## INFORMATION SECURITY BREACH POLICY

- I. This policy is consistent with §208 of the New York State Technology Law. School districts are required to notify any New York State resident when there has been or is reasonably believed to have been a compromise of the individual's *private information*, in compliance with the Information Security Breach and Notification Act and this policy.
- II. A.
  1. The definition of "private information" shall mean personal information in combination with any one or more of the following data elements, when either (1) the personal information or the data element is not encrypted or (2) encrypted with a corresponding encryption key that has also been acquired:
    - a. Social Security Number;
    - b. Driver's license number or non-driver identification card number;or
    - c. Account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account.
  2. Private Information does not include publicly available information that is lawfully made available to the general public from federal, state, or local governmental records.
  3. This policy also applies to information maintained on behalf of a District by a third party.
  4. "Breach of the security of the system" shall mean unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security confidentiality, or integrity of personal information maintained by the District. Good faith acquisition of personal information by an employee or agent of the District for the purposes of the agency is not a breach of the security of the system, provided that the private information is not used or subject to unauthorized disclosure.
- III. Notification:
  - A. The District shall notify an individual when it has been determined that there has been, or is reasonably believed to have been a compromise of *private information* through unauthorized disclosure.

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- B. The District will notify the affected individual. Such notice shall be directly provided to the affected persons by one of the following methods:
- written notice;
  - electronic notice, provided that the person to whom notice is required has expressly consented to receiving said notice in electronic form and a log of each such notification is kept by the District who notifies affected persons in such form;
  - telephone notification provided that a log of each such notification is kept by the District who notifies affected persons; or
  - Substitute notice, if a District demonstrates to the state attorney general that the cost of providing notice would exceed two hundred fifty thousand dollars, or that the affected class of subject persons to be notified exceeds five hundred thousand, or such District does not have sufficient contact information. Substitute notice shall consist of all of the following:
    - e-mail notice when such District has an e-mail address for the subject persons;
    - conspicuous posting of the notice on such District's web site page, if such District maintains one; and
    - notification to major statewide media.
- C. The notice must include the District's contact information, a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which elements of private information were, or are reasonably believed to have been, so acquired.
- D. Notification may be delayed if a law enforcement agency determines that such notification impedes a criminal investigation. The notification required shall be made after such law enforcement agency determines that such notification does not comprise such investigation.
- IV. When notification is necessary, the District must also notify the following agencies as to the timing, content and distribution of the notices and approximate number of affected persons:
- A. NYS Attorney General
  - B. NYS Office of Cyber Security & Critical Infrastructure Coordination
  - C. Consumer Protection Board

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- D. Consumer Reporting Agencies (ONLY if more than 5,000 New York State residents are notified at one time.)

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Frankfort-Schuyler Central School District

Legal Ref: NYS General Business Law §889-aa; NYS Technology Law §208

Adopted: 07/06/06

Revised: 05/23/19

# Regulation

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## NEW YORK STATE SECURITY BREACH REPORTING FORM

Pursuant to the Information Security Breach and Notification Act

(State Technology Law §208)

**Name and address of Entity that owns or licenses the computerized data that was subject to the breach:**

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**Submitted by:** \_\_\_\_\_ Title: \_\_\_\_\_ Dated: \_\_\_\_\_

Firm Name (if other than entity): \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Relationship to Entity whose information was compromised: \_\_\_\_\_

**Type of Organization** (please select one):  Governmental Entity in New York State;  Other Governmental Entity;  
 Educational;  Health Care;  Financial Services;  Other Commercial;  Not-for-profit

**Number of Persons Affected:**

Total (Including NYS residents): \_\_\_\_\_ NYS Residents: \_\_\_\_\_

If the number of NYS residents exceeds 5,000, have the consumer reporting agencies been notified?  Yes;  No.

**Dates:** Breach Occurred: \_\_\_\_\_ Breach Discovered: \_\_\_\_\_ Consumer Notification: \_\_\_\_\_

**Description of Breach** (please select all that apply):

Loss or theft of device or media (e.g., computer, laptop, external hard drive, thumb drive, CD, tape);

Internal system breach;  Insider wrongdoing;  External system breach (e.g., hacking);  Inadvertent disclosure;

Other (specify): \_\_\_\_\_

**Information Acquired:** Name or other personal identifier in combination with (please select all that apply):

Social Security Number

Driver's license number or non-driver identification card number

Financial account number or credit or debit card number, in combination with the security code, access code, password, or PIN for the account

**Manner of Notification to Affected Persons - ATTACH A COPY OF THE TEMPLATE OF THE NOTICE TO AFFECTED NYS RESIDENTS:**

Written;  Electronic;  Telephone;  Substitute notice.

List dates of any previous (within 12 months) breach notifications: \_\_\_\_\_

**Identify Theft Protection Service Offered:**  Yes;  No.

Duration: \_\_\_\_\_ Provider: \_\_\_\_\_

Brief Description of Service: \_\_\_\_\_

**PLEASE COMPLETE AND SUBMIT THIS FORM TO  
EACH OF THE THREE STATE AGENCIES LISTED BELOW:**

**Fax or Email this form to:**

**New York State Attorney General's Office**  
SECURITY BREACH NOTIFICATION  
Consumer Frauds & Protection Bureau  
120 Broadway, 3<sup>rd</sup> Floor  
New York, NY 10271  
Fax: 212-416-6003  
Email: [breach.security@ag.ny.gov](mailto:breach.security@ag.ny.gov)

**New York State Office of Information Technology Services**  
**Enterprise Information Security Office**  
SECURITY BREACH NOTIFICATION  
1220 Washington Avenue  
State Office Campus  
Building 7A, 4<sup>th</sup> Floor  
Albany, NY 12242  
Fax: 518-322-4976  
Email: [eiso@its.ny.gov](mailto:eiso@its.ny.gov)

**New York State Department of State Division of Consumer Protection**  
Attention: Director of the Division of Consumer Protection  
SECURITY BREACH NOTIFICATION  
99 Washington Avenue, Suite 650  
Albany, NY 12231  
Fax: 518-473-9055  
Email: [security\\_breach\\_notification@dos.ny.gov](mailto:security_breach_notification@dos.ny.gov)

To access the most recent online version of the NYS Security Breach Reporting Form:  
<http://its.ny.gov/eiso/breach-notification>

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Frankfort-Schuyler Central School District  
Approved by the Superintendent: 05/23/19  
Adopted: 07/06/06  
Board Rescinded: 05/23/19

Administrative Offices  
605 Palmer Street  
(315) 894-5083 Superintendent  
(315) 895-7781 Business Office  
(315) 895-7011 Fax



Frankfort-Schuyler  
Central School District  
Frankfort, NY 13340

Middle-Senior High School  
605 Palmer Street  
(315) 895-7461 Principal  
(315) 895-4032 Fax  
(315) 895-7733 Special Education

Frankfort-Schuyler Elementary School  
610 Reese Road  
(315) 895-7491 Principal  
(315) 895-4102 Fax

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## FRANKFORT-SCHUYLER CENTRAL SCHOOL IMPROPER DISCLOSURE REPORTING FORM

Parents, eligible students (students who are at least 18 years of age or attending a post-secondary institution at any age), principals, teachers, and employees of an educational agency may file a complaint about a possible breach or improper disclosure of student data and/or protected teacher or principal data. A privacy complaint may be made using this online form or by mailing the form to the District's Data Protection Officer at 605 Palmer Street, Frankfort, NY 13340.

### CONTACT INFORMATION

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_  
Role: \_\_\_\_\_

### IMPROPER DISCLOSURE OR BREACH INFORMATION

Date Violation Occurred: \_\_\_\_\_

Description of Data Compromised

Description of Improper Disclosure or Breach:

Additional Information:

This resource is relevant to the PARENT COMPLAINT PROCEDURE Part 121 of the Commissioner's Regulations Requirements.

Date Approved: August 13, 2019