

DATA PROTECTION AND SECURITY BREACHES

Data Protection:

The Apple Creek School District will take reasonable security measures to guard against the foreseeable loss of private information. Private information is defined as that information protected under federal law, information defined as confidential or exempt in NDCC 44-04, and data defined as “personal information” in NDCC 51-30-01 subsection two. Private information does not include publicly available information that is lawfully made available to the general public pursuant to state or federal law or regulation.

In determining the reasonableness of the district’s security measures, the Board will consider the value of private information in the district’s possession and the potential damages associated with the loss or compromise of this data.

All security measures will be delineated in a plan, which is exempt from North Dakota open records law. Creation of, discussion of and revision to this plan will occur in executive session in accordance with North Dakota law.

Security Breach:

State law defines “breach of security” as “unauthorized acquisition of computerized data when access to personal information has not been secured by encryption or by any other method or technology that renders the electronic files, media, or data bases unreadable or unusable. Good-faith acquisition of personal information by an employee or agent of the person is not a breach of the security of the system, if the personal information is not used or subject to further unauthorized disclosure.”

Any security breach that meets the above definition or any reasonable suspicion of such a breach shall be immediately reported to the Principal. The Principal shall put procedures in place to notify those residents affected by the breach as required by law.

Cross Ref:	DADK/FHCN/GBFCA	Acceptable Use
Legal Refs:	20 U.S.C. 1232 g	Family Educational Rights and Privacy Act
	34 CFR 99	Regulations
	NDCC 51-30	Notice of Security Breach for Personal Information
	NDCC 44-04	Duties, Records & Meetings
	NDCC 15.1-19-15	Record Retention

POLICY ADOPTED: 11 Mar 08
POLICY AMENDED: 11 Aug 09