

# **Privacy and Security Overview**

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# Privacy “In The News”

FTC Seeks Protection for Students' Personal Information in Education Technology Company ConnectEdu's Bankruptcy Proceeding – FTC 5/23/14

Concerns over Student Data Privacy Widespread Among Americans – THE Journal 01/22/14

Are student files private? It depends. - Politico 5/15/14

Major School Research and Assessment Provider Suffers Data Breach – Education Week 5/21/14

Why a ‘Student Privacy Bill of Rights’ is desperately needed – Washington Post 03/6/2014

InBloom's Collapse Shines Spotlight on Data-Sharing Challenges – Education Week 5/2/14

Ed. Dept. Makes Protecting Student Data a High Priority - Education Week 03/05/14

# What is OSPI doing around and Privacy and Security

- Agenda
  - What is Privacy and Security?
  - State Office of the CIO policy and standards
  - Securing Information Technology Assets
    - Policy 141 and Standard 141.1
    - OSPI Security Program
  - Relevant Privacy Laws
  - Connecting Policies



# What are OSPI's Privacy and Security Programs? (simplified)

- A data/Information privacy program is WHAT an organization needs to protect, to what extent and WHY.
  - Business (Policy) and Legal Requirements
- A data/Information security program is HOW an organization protects data/information
  - Information Technology Security Program



# WA State OCIO Requirements

- Securing Information Technology Assets
- Policy 141 and Standard 141.10
  - <https://ocio.wa.gov/policies>
- Key Requirements
  - Annual Security Review against state standards
  - Annual Security Awareness Training for Staff
  - Security Audit every 3 years
  - Superintendent attests to security requirements



# WA State OCIO Requirements

- Key Elements for Security Program
  - Documentation Requirements
  - Personnel
  - Physical Security
  - Data Security
  - Network Security
  - Access Security
  - Application Security
  - Operations Management
  - Monitoring and Logging
  - Incident Response
    - CTS Security Operations Center



# Key Privacy Laws

- Proper and secure maintenance of education records. FERPA: 34 C.F.R. §99; RCW 42.56; RCW 28A.605.030; WAC 392-500.
- Social Security Number Protection Act Pub.L. 111-318.
- Proper and secure maintenance of testing material, RCW 28A.635.040; WAC 181-87-060
- Health Information Portability Accountability Act (HIPAA)
- Many more Federal and State Laws
- Proposed OSPI Data and Information Privacy Manager



# Key OSPI Policies

- Confidentiality of Student Records
- Data Disposal and Handling Policy (NEW)
- Data Governance and Data Sharing
- Records Management
- Public disclosure





# Latest Development of Data/ Information Policy

- For each Data Sensitivity Category:
  - Definition and Distinguishing Characteristics
  - Examples
  - Safeguards
    - Access Control
    - Transmission
    - Storage
    - Security Design Review
    - Disposal
- Other things under consideration:
  - Impact / Severity / Consequences / Response if breached
  - Disaster Recovery RPO/RTO
  - Ownership
  - Public Disclosure and Records Retention



# Questions and Discussion

