



WESTERN SUFFOLK BOCES SCHOOL DISTRICT DATA SECURITY AND PRIVACY PLAN

Introduction

First Class Tutoring, Inc. needs to gather and use certain information about individuals.

These can include customers, suppliers, business contacts, employees and other people the organization has a relationship with or may need to contact.

This policy describes how this personal data must be collected, handled and stored to meet the company's data protection standards - and to comply with the law.

Why this policy exists

This data protection policy ensures First Class Tutoring, Inc.:

- Complies with data protection laws and follows good practice
- Protects the rights of staff, customers, and partners
- Is open about how it stores and processes individuals' data
- Protects itself from the risks of a data breach

Policy scope

This policy applies to:

- The head of First Class Tutoring, Inc.
- All branches of First Class Tutoring, Inc.
- All staff and volunteers of First Class Tutoring, Inc.
- All contractors, suppliers, and other people working on behalf of First Class Tutoring, Inc.

It applies to all data that the company holds relating to identifiable individuals. This can include:

- Names of individuals
- Postal addresses

- Email addresses
- Telephone numbers
- ...plus any other information relating to individuals

Data protection risks

This policy helps to protect First Class Tutoring, Inc. from some very real data security risks, including:

- **Breaches of confidentiality.** For instance, information being given out inappropriately.
- **Failing to offer choice.** For instance, all individuals should be free to choose how the company uses data relating to them.
- **Reputational damage.** For instance, the company could suffer if hackers successfully gained access to sensitive data.

Responsibilities

Everyone who works for or with First Class Tutoring, Inc. has some responsibility for ensuring data is collected, stored and handled appropriately.

Each team that handles personal data must ensure that it is handled and processed in line with this policy and data protection principles.

However, these people have key areas of responsibility:

- The data protection officer is responsible for:
 - Keeping the board updated about data protection responsibilities, risks and issues.
 - Reviewing all data protection procedures and related policies, in line with an agreed schedule.
 - Arranging data protection training and advice for the people covered by this policy.
 - Handling data protection questions from staff and anyone else covered by this policy.
 - Dealing with requests from individuals to see the data First Class Tutoring, Inc. holds about them.
- The IT manager is responsible for:
 - Ensuring all systems, services and equipment used for storing data meet acceptable security standards.
 - Performing regular checks and scans to ensure security hardware and software is functioning properly.

- Evaluating any third-party services the company is considering using to store or process data. For instance, cloud computing services.
- The HR manager is responsible for:
 - Approving any data protection statements attached to communications such as emails and letters.
 - Addressing any data protection queries from journalists or media outlets like newspapers.
 - Where necessary, working with other staff to ensure marketing initiatives abide by data protection principles.

General staff guidelines

- The only people able to access data covered by this policy should be those who **need it for their work**.
- Data **should not be shared informally**. When access to confidential information is required, employees can request it from their line managers.
- **First Class Tutoring, Inc. will provide training** to all employees to help them understand their responsibilities when handling data.
- Employees should keep all data secure, by taking sensible precautions and following the guidelines below.
- In particular, **strong passwords must be used** and they should never be shared.
- Personal data **should not be disclosed** to unauthorized people, either within the company or externally.
- Data should be **regularly reviewed and updated** if it is found to be out of date. If no longer required, it should be deleted and disposed of.
- Employees **should request help** from their data protection officer if they are unsure about any aspect of data protection.

Protected data

These rules describe how and where data should be safely stored. Questions about storing data safely can be directed to the IT manager or data controller.

When data is **stored on paper**, it should be kept in a secure place where unauthorized people cannot see it.


These guidelines also apply to data that is usually stored electronically but has been printed out for some reason:

- When not required, the paper or files should be kept **in a locked drawer or filing cabinet**.
- Employees should make sure paper and printouts are **not left where unauthorized people could see them**, like on a printer.

- **Data printouts should be shredded** and disposed of securely when no longer required.

When data is stored electronically, it must be protected from unauthorized access, accidental deletion and malicious hacking attempts:

- Data should be **protected by strong passwords** that are changed regularly and never shared between employees.
- If data is **stored on removable media** (like a CD or DVD), these should be kept locked away securely when not being used.
- Data should only be stored on **designated drives and servers**, and should only be uploaded to an **approved cloud computing service**.
- Servers containing personal data should be **sited in a secure location**, away from general office space.
- Data should be **backed up frequently**. Those backups should be tested regularly, in line with the company's standard backup procedures.
- Data should **never be saved directly** to laptops or other mobile devices like tablets or smartphones.
- All servers and computers containing data should be protected by **approved security software and firewall**.

 6/30/21
Mark Walker
President

**BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY -
SUPPLEMENTAL INFORMATION FOR CONTRACTS THAT UTILIZE PERSONALLY IDENTIFIABLE INFORMATION**

Pursuant to Education Law § 2-d and Section 121.3 of the Commissioner’s Regulations, the educational Agency (EA) is required to post information to its website about its contracts with third-party contractors that will receive Personally Identifiable Information (PII).

Name of Contractor	First Class Tutoring
Description of the purpose(s) for which Contractor will receive/access PII	None
Type of PII that Contractor will receive/access	Check all that apply: <input type="checkbox"/> Student PII <input type="checkbox"/> APPR Data
Contract Term	Contract Start Date <u>06/30/2021</u> Contract End Date <u>06/30/2021</u>
Subcontractor Written Agreement Requirement	Contractor will not utilize subcontractors without a written contract that requires the subcontractors to adhere to, at a minimum, materially similar data protection obligations imposed on the contractor by state and federal laws and regulations, and the Contract. (check applicable option) <input type="checkbox"/> Contractor will not utilize subcontractors. <input checked="" type="checkbox"/> Contractor will utilize subcontractors.
Data Transition and Secure Destruction	Upon expiration or termination of the Contract, Contractor shall: <ul style="list-style-type: none"> • Securely transfer data to EA, or a successor contractor at the EA’s option and written discretion, in a format agreed to by the parties. • Securely delete and destroy data.
Challenges to Data Accuracy	Parents, teachers or principals who seek to challenge the accuracy of PII will do so by contacting the EA. If a correction to data is deemed necessary, the EA will notify Contractor. Contractor agrees to facilitate such corrections within 21 days of receiving the EA’s written request.

Secure Storage and Data Security

Please describe where PII will be stored and the protections taken to ensure PII will be protected: (check all that apply)

- Using a cloud or infrastructure owned and hosted by a third party.
- Using Contractor owned and hosted solution
- Other:

Please describe how data security and privacy risks will be mitigated in a manner that does not compromise the security of the data:

Encryption

Data will be encrypted while in motion and at rest.



CONTRACTOR'S DATA PRIVACY AND SECURITY PLAN

The Educational Agency (EA) is required to ensure that all contracts with a third-party contractor include a Data Security and Privacy Plan, pursuant to Education Law § 2-d and Section 121.6 of the Commissioner's Regulations. For every contract, the Contractor must complete the following or provide a plan that materially addresses its requirements, including alignment with the NIST Cybersecurity Framework, which is the standard for educational agency data privacy and security policies in New York state. **While this plan is not required to be posted to the EA's website, contractors should nevertheless ensure that they do not include information that could compromise the security of their data and data systems.**

1	Outline how you will implement applicable data security and privacy contract requirements over the life of the Contract.	See Attached
2	Specify the administrative, operational and technical safeguards and practices that you have in place to protect PII.	"
3	Address the training received by your employees and any subcontractors engaged in the provision of services under the Contract on the federal and state laws that govern the confidentiality of PII.	"
4	Outline contracting processes that ensure that your employees and any subcontractors are bound by written agreement to the requirements of the Contract, at a minimum.	"
5	Specify how you will manage any data security and privacy incidents that implicate PII and describe any specific plans you have in place to identify breaches and/or unauthorized disclosures, and to meet your obligations to report incidents to the EA.	"
6	Describe how data will be transitioned to the EA when no longer needed by you to meet your contractual obligations, if applicable.	"
7	Describe your secure destruction practices and how certification will be provided to the EA.	"
8	Outline how your data security and privacy program/practices align with the EA's applicable policies.	"
9	Outline how your data security and privacy program/practices materially align with the NIST CSF v1.1	"

Western Suffolk BOCES Education Law §2-d Bill of Rights for Data Privacy and Security

Parents (including legal guardians or persons in parental relationships) and Eligible Students (students 18 years and older) can expect the following:

1. A student's personally identifiable information (PII) cannot be sold or released for any Commercial or Marketing purpose. PII, as defined by Education Law § 2-d and the Family Educational Rights and Privacy Act ("FERPA"), includes direct identifiers such as a student's name or identification number, parent's name, or address; and indirect identifiers such as a student's date of birth, which when linked to or combined with other information can be used to distinguish or trace a student's identity. Please see FERPA's regulations at 34 CFR 99.3 for a more complete definition.
2. The right to inspect and review the complete contents of the student's education record stored or maintained by an educational agency. This right may not apply to Parents of an Eligible Student.
3. State and federal laws such as Education Law § 2-d; the Commissioner of Education's Regulations at 8 NYCRR Part 121, FERPA at 12 U.S.C. 1232g (34 CFR Part 99); Children's Online Privacy Protection Act ("COPPA") at 15 U.S.C. 6501-6502 (16 CFR Part 312); Protection of Pupil Rights Amendment ("PPRA") at 20 U.S.C. 1232h (34 CFR Part 98); and the Individuals with Disabilities Education Act ("IDEA") at 20 U.S.C. 1400 et seq. (34 CFR Part 300); protect the confidentiality of a student's identifiable information.
4. Safeguards associated with industry standards and best practices including, but not limited to, encryption, firewalls and password protection must be in place when student PII is stored or transferred.
5. A complete list of all student data elements collected by NYSED is available at www.nysed.gov/data-privacy-security/student-data-inventory and by writing to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234.
6. The right to have complaints about possible breaches and unauthorized disclosures of PII addressed. (i) Complaints should be submitted to: dpo@wsboces.org. (ii) Complaints may also be submitted to the NYS Education Department at www.nysed.gov/data-privacy-security/report-improper-disclosure, by mail to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234; by email to privacy@nysed.gov; or by telephone at 518-474-0937.
7. To be notified in accordance with applicable laws and regulations if a breach or unauthorized release of PII occurs.
8. Educational agency workers that handle PII will receive training on applicable state and federal laws, policies, and safeguards associated with industry standards and best practices that protect PII.
9. Educational agency contracts with vendors that receive PII will address statutory and regulatory data privacy and security requirements.

CONTRACTOR	
[Signature]	Verified by PDFfiller <i>Mark Walker</i>
[Printed Name]	06/30/2021 Mark Walker
[Title]	President
Date:	06/30/2021

March 30, 2021



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