

**DATA PROTECTION & SECURITY BREACHES****Data Protection**

The East Central Special Education Unit will take reasonable security measures to guard against the foreseeable loss of private information. Private information is defined as that information protected under federal laws such as, but not limited to, the Family Educational Rights and Privacy Act (FERPA), information defined as confidential or exempt in NDCC Ch. 44-04, and data defined as "personal information" in NDCC 51-30-01(2). 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 security system 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" in NDCC 51-30-01. Any security breach that meets this definition or any reasonable suspicion of such a breach shall be immediately reported to the Superintendent. The Superintendent shall put procedures in place to notify state residents affected by the breach as required by law.

---

Complementing NDSBA Templates (may contain items not adopted by the Board)

- ACDA, Acceptable Use
- BCAD, Executive Session
- IDC-E, Security Breach Procedure

**End of East Central Center for Exceptional Children Policy IDC ..... Adopted: 3.14.22**

**First reading: 2.14.22**

**Second Reading: 3.14.22**