



WYOMING
DEPARTMENT OF EDUCATION



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edu.wyoming.gov
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Data Breach

Policy #: 4000-007

Version #: 2.0

Approved By: Jillian Balow, Superintendent, State of Wyoming
Department of Education

Effective Date: January 5, 2015

Purpose:

The Data Breach Policy is intended to provide guidance to the employees of the State of Wyoming, Department of Education (WDE) in defining and identifying potential security breaches of protected information, such as Family Educational Rights and Privacy Act (FERPA), Personally Identifiable Information (PII) or other confidential information. Through proper education and preparedness WDE can better protect all of its confidential and sensitive information. WDE, in collaboration with the Department of Enterprise Technology Services (ETS), will employ policies, technologies, and education to identify security breaches.

Scope:

This policy applies to all WDE workforce members including, but not limited to full-time employees, part-time employees, trainees, volunteers, contractors, temporary workers, and anyone else granted access to sensitive information by WDE. All workforce members are responsible for the security of protected information.

Policy:

A breach is defined as:

Any unlawful, unauthorized or unacceptable acquisition, access, use, or disclosure of student data, educational records, and/or PII.

Breach does not include

- Any unintentional acquisition, access, or use of protected information by an employee or individual acting under the authority of WDE
 - Such acquisition, access, or use was made in good faith and within the course and scope of the employment or other professional relationship of such employee or individual; and
 - Such information is not further acquired, accessed, used, or disclosed by any person; or
- Any inadvertent disclosure from an individual who is otherwise authorized to access student data and/or PII at the WDE; and
- Any such information received as a result of such disclosure is not further acquired, accessed, used, or disclosed without authorization by any person
- Information that has been rendered unusable, unreadable, or indecipherable i.e encrypted data.



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If a breach of Protected Information is discovered the person making the discovery will notify the WDE Information Security Officer (ISO).

The WDE ISO will as necessary execute policies and other, security/incident, related procedures as appropriate.

Persons will report to the WDE ISO any improper disposal of Protected Information utilizing the Disposal Policy 4000-010 as a guide.

Responsibilities:

All workforce members are responsible for:

- Understanding and following all security related policies and procedures

WDE ISO is responsible for:

- Ensuring all workforce members understand and follow security related policies and procedures

Compliance:

Failure to comply with this or any other security policy will result in disciplinary actions as per HR Policy. Legal actions also may be taken for violations of applicable regulations and standards such as state and federal rules to include the Family Educational Rights and Privacy Act (FERPA).

Procedure(s): Data Breach Notification Procedures

Form(s): Computer Security Suspicious Event Form

References:

- The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99);
<http://www.ed.gov/policy/gen/guid/fpc/ferpa/index.html>
- State of Wyoming, Department of Enterprise Technology Services (ETS) Policies;
<http://ets.wyo.gov/resources/policies-and-standards>
- NIST 800-111:
<http://csrc.nist.gov/publications/nistpubs/800-111/SP800-111.pdf>
- NIST 800-122:
<http://csrc.nist.gov/publications/nistpubs/800-122/sp800-122.pdf>
- FIPS 140-2: <http://csrc.nist.gov/publications/fips/fips140-2/fips1402.pdf>
- NIST 800-88:
http://csrc.nist.gov/publications/nistpubs/800-88/NISTSP800-88_with_errata.pdf
- NIST 800-77: <http://csrc.nist.gov/publications/nistpubs/800-77/sp800-77.pdf>



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- NIST 800-113:
<http://csrc.nist.gov/publications/nistpubs/800-113/SP800-113.pdf>

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