



## ADMINISTRATIVE DIRECTIVE

### Notification of Breach of Security of Personal Information

8.90.030-AD

#### I. Introduction

This Administrative Directive addresses the process for the District when there has been a breach of security around student or employee personal information.

#### II. Definitions

- A. Personal Information means a first name or first initial and last name in combination with any one or more of the following data elements, when the data elements are not rendered unusable through encryption, redaction, or other methods, or when the data elements are encrypted and the encryption key has also been acquired:
  - 1. Social Security number;
  - 2. Driver license number or state identification card number issued by the Department of Transportation;
  - 3. Passport number or other United States issued identification number; or
  - 4. Financial account number, credit or debit card number, in combination with a security code, access code, or password that would permit access to a person's financial account.
- B. For the purposes of this AD, personal information means any of the above listed data elements or combination of the data elements when not combined with first name or first initial and last name, and the data elements are not rendered unusable through encryption, redaction or other methods, if the information obtained would be sufficient to permit a person to commit identify theft against the person whose information was compromised.

#### III. Notification

- A. The district shall give notice of a breach of security to any person whose personal information was included in the information that was breached. This notice will include the personal information the district believes to have been breached.
- B. The disclosure shall be made in the most expeditious time possible and without unreasonable delay.
- C. Notification may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation.
- D. Notice may be given in one of the following ways:
  - 1. Written notice, either by U.S. Mail or electronic means.



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2. Electronic notice, if the district's customary method of communication with the affected people is by electronic means.
3. Substitute notice if the cost of providing notice exceeds \$250,000, the affected class of people exceeds 350,000, or if the district does not have sufficient contact information to provide notice. Substitute notice consists of the following:
  - (a) Conspicuous posting of the notice or a link to the notice on the district's home webpage; and
  - (b) Notification to major statewide television and newspaper media
- E. If the district discovers a breach of security affecting more than 1,000 students or employees, the District shall notify, without unreasonable delay, all consumer reporting agencies that compile and maintain reports on consumers on a nationwide basis of the timing, distribution and content of the notification given by the District to the affected students and/or employees.
- F. Notification is not required if, after an appropriate investigation or after consultation with relevant federal, state or local agencies responsible for law enforcement, the person determines that no reasonable likelihood of harm to the students and/or employees whose personal information has been acquired has resulted or will result from the breach. Such a determination must be documented in writing and the documentation must be maintained for five years.

History: Adopted 8/09; Amended 7/15