POSSIBLE PROFILE OF A PART 121 DATA PROTECTION OFFICER

ORGANIZATIONAL RELATIONSHIP

- It is recommended that the DPO’s reporting structure provide access to leaders with decision making authority.
- It is recommended that the DPO/school district annually report on the agency’s data security and privacy posture/performance to its Board.
- A DPO will need to collaborate with internal stakeholders (IT, information security, internal audit, school attorneys, etc.) to effectively fulfill this role.

POSSIBLE DUTIES AND RESPONSIBILITIES

✓ Primary point of contact for data security and privacy.
✓ Implement privacy governance measures to manage the use of personally identifiable information to ensure compliance with Education Law §2-d (e.g. PII is only used for the benefit of students and the educational agency).
✓ Coordinate the implementation of the policies and procedures required under Education Law 2-d and Part 121.
✓ Monitor the educational agency’s compliance with state and federal data privacy laws and regulations.
✓ Develop a procedure for parents and eligible students to file complaints about breaches or unauthorized releases of student data and for the complaints to be addressed.
✓ Facilitate the delivery of an annual information privacy and security awareness training.
✓ Review projects, contracts and procurements that will create, collect or process personally identifiable information for compliance (privacy impact and data security assessment).

SOME SUGGESTED KNOWLEDGE, SKILLS AND ABILITIES

➢ Ability to gain a working knowledge of state and federal laws that protect personally identifiable information, including Education Law § 2-d, and FERPA.
➢ Ability to gain a working knowledge of basic data security and privacy concepts.
➢ Ability to interact effectively with people at all organizational levels of the agency.
➢ Ability to exercise leadership, influence change and implement solutions.
➢ Ability to handle confidential and sensitive information with discretion.