STUDENTS

Unauthorized Access or Disclosure of Student Educational Records

Student educational records containing personally identifiable information and medical information shall be accessed and disclosed within Prince William County Public Schools (PWCS) only to individuals who have a legitimate educational interest, and outside of the School Division only with appropriate consent or as otherwise provided by state or federal law. A PWCS school official has a legitimate educational interest in personally identifiable student information if access to such information is necessary for that individual to carry out his or her job responsibilities for the School Division.

This regulation establishes procedures for responding to instances in which personally identifiable student information and/or medical information is reasonably believed to have been accessed or disclosed by an internal or external unauthorized party.

I. Investigation and Mitigation

In the event that unauthorized access, acquisition, or disclosure of personally identifiable student information is suspected or occurs, the Division will conduct an investigation, mitigate any harm to systems or data, and identify any affected or possibly affected students for notification. The School Division may enter into a contract with a third party for security expertise, digital storage, data security and breach prevention, and notice of unauthorized disclosure or access of student educational records containing personally identifiable information and/or medical information.

II. Notification

In the event that unencrypted or unredacted student educational records containing personally identifiable information and/or medical information, are reasonably believed to have been accessed, acquired, or disclosed by an unauthorized party in violation of applicable federal or state law, the School Division shall notify, as soon as practicable:

A. The parent/legal guardian of any student, or the eligible student (if age 18 or older) affected by such access, disclosure, or acquisition;

B. A law enforcement agency, should the Division determine such notification to be necessary;

C. The Office of the Virginia Attorney General, as required by Virginia Code § 18.2-186.6; and/or

D. The Virginia Commissioner of Health, in accordance with Virginia Code § 32.1-127.1:05.
Notification may reasonably be delayed allowing the Division to determine the scope of the access and disclosure, or potential access and disclosure, and restore the reasonable integrity of the system should a breach of security have occurred or be anticipated.

Notification shall describe:

A. The incident in general terms;

B. Date, estimated date, or date range of the access or disclosure;

C. Type of information that was or is reasonably believed to have been accessed or disclosed; and

D. General acts or remedial measures taken or planned in response to the unauthorized access or disclosure.

III. Remediation

The School Division shall take appropriate remedial measures in response to any unauthorized disclosure, access, or acquisition of personally identifiable student information, including, as needed, retraining of personnel; review of technology and recordkeeping systems; discipline and/or dismissal of employees responsible for such data disclosure, access, or acquisition; and the provision of identity fraud/theft insurance coverage for students affected by such data breach.

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for implementing and monitoring this regulation.

This regulation and any related policy shall be reviewed at least every five years and revised as needed.