

THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: OPERATIONS

TITLE: Breach of Computerized Personal
Information

ADOPTED: May 18, 2017

REVISED:

830 BREACH OF COMPUTERIZED PERSONAL INFORMATION

Purpose

With the increased reliance upon electronic data, and the maintenance of personal information of students and employees in electronic format, the School Reform Commission is concerned about the risk of a breach in the district's electronic system security and the possible disclosure of personal information. This policy addresses the manner in which the district will respond to unauthorized access and acquisition of computerized data that compromises the security and confidentiality of personal information.

Authority

The SRC directs that district administrators shall provide appropriate notification of any computerized system security breach to any state resident whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed or acquired by unauthorized persons.[\[1\]](#)

Definitions

Breach of the system's security - unauthorized access and acquisition of computerized data that materially compromises the security or confidentiality of personal information maintained by the district as part of the database of personal information regarding multiple individuals and that the district reasonably believes has caused or will cause loss or injury to any state resident. Good faith acquisition of personal information by an employee or agent of the school district for the purpose of the district is not a breach of the security of the system if the personal information is not used for a purpose other than the lawful purpose of the district and is not subject to further unauthorized disclosure.[\[2\]](#)

Individual - means any natural person, not an entity or company.

Personal information - includes an individual's first initial and last name in combination with and linked to any one or more of the following, when not encrypted or redacted:[\[2\]](#)

1. Social security number.

2. Driver's license number or state identification card number issued instead of a driver's license.
3. Financial account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account.

Personal information does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.[3]

Personal information does not include identification numbers that may be assigned by the district for the purposes of identifying and tracking employees, students, parents/guardians, contractors, volunteers and associates, within its information systems, records, or operational business processes.

Records - means any material, regardless of its physical form, on which information is recorded or preserved by any means, including written or spoken words, graphically depicted, printed or electromagnetically transmitted. This term does not include publicly available directories containing information that an individual has voluntarily consented to have publicly disseminated or listed, such as name, address or telephone number.[2]

Delegation of Responsibility

The Superintendent or designee shall ensure that the district provides notice of any system security breach, following discovery, to any state resident whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed and acquired by an unauthorized person. Such notice shall be made without a reasonable delay, except when a law enforcement agency determines and advises the district in writing that the notification would impede a criminal or civil investigation, or the district must take necessary measures to determine the scope of the breach and to restore the reasonable integrity of the data system. The district will also provide notice of the breach if the encrypted information is accessed and acquired in an unencrypted form, if the security breach is linked to a breach of security of the encryption, or if the security breach involves a person with access to the encryption key.[4]

Legal References:

1. 73 P.S. 2301 et seq
2. 73 P.S. 2302
3. Pol. 801 - Public Records
4. 73 P.S. 2303

Related Information:

15 U.S.C. 1681a