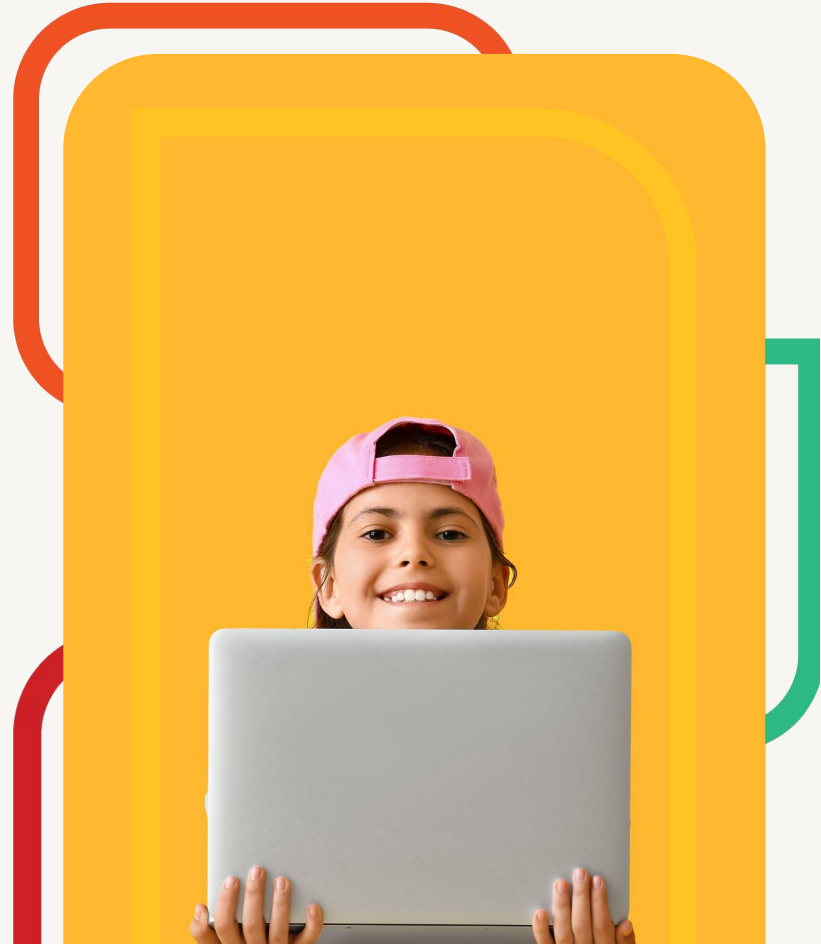




Incident Response & Data Security

Frameworks for a resilient
ecosystem





Heather Mahoney

NYS RIC One



Ross Lemke

AEM Corporation



KellyRose Yaeger

NYS RIC One



David Sallay

A4L

1

NDPA Data Breach Agreement Terms



2

NDPA Disposition of Student Data Terms



3

NDPA Data Security (Framework) Terms



4

Incident Response & Data Security in Practice



1

NDPA Data Breach Agreement Terms



2

NDPA Disposition of Student Data Terms



3

NDPA Data Security (Framework) Terms



4

Incident Response & Data Security in Practice



Data Breach Terms

NDPA Article V

**VENDOR PROVIDES NOTICE
TO LEA WITHIN 72 HRS**



**VENDOR INCLUDES
REQUIRED INFO IN NOTICE**



**VENDOR COMPLIES WITH
ALL APPLICABLE LAWS**



**VENDOR MAINTAINS A
BREACH RESPONSE PLAN**



**VENDOR COMPLIES WITH
STATE TERMS (EXHIBIT G)**



**LEA PROVIDES NOTICE TO
AFFECTED INDIVIDUALS**



**RELATED COSTS MAY BE A
VENDOR OR LEA
RESPONSIBILITY**



Data Breach Provider

NDPA Article V Notification

PROVIDER NAME AND CONTACT INFORMATION



DATE OF THE NOTICE



DATE OF THE DATA BREACH



WHETHER NOTIFICATION WAS DELAYED



DESCRIPTION OF THE BREACH



DESCRIPTION OF THE STUDENT DATA INVOLVED



LIST OF IMPACTED INDIVIDUALS



Agenda

Session Topics

1

NDPA Data Breach
Agreement Terms



2

NDPA Disposition of
Student Data Terms



3

NDPA Data Security
(Framework) Terms



4

Incident Response &
Data Security in Practice



Disposition of Student Data

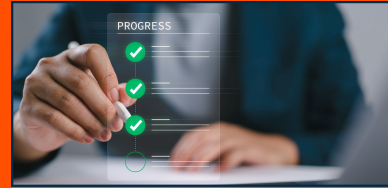
NDPA Article IV and Exhibit D



When Requested by the LEA, the Provider will Dispose of or Transfer Data Within 60 Days



Following DPA Termination, the Provider will Dispose of Student Data Within sixty 60 Days



The LEA May Use Exhibit D to Communicate Special Instructions



Often Data Disposition Terms are Modified During the NDPA Negotiation Process

Agenda

Session Topics

1

NDPA Data Breach
Agreement Terms



2

NDPA Disposition of
Student Data Terms



3

NDPA Data Security
(Framework) Terms



4

Incident Response &
Data Security in Practice



Cybersecurity Frameworks

NDPA Article V and Exhibit F

Global Education Security Standard (GESS)



NIST Cybersecurity Framework (CSF)



NIST SP 800-53



NIST SP 800-171



ISO 27000 Series



CIS Critical Security Controls



Cybersecurity Maturity Model Certification



Agenda

Session Topics

1

NDPA Data Breach
Agreement Terms



2

NDPA Disposition of
Student Data Terms



3

NDPA Data Security
(Framework) Terms



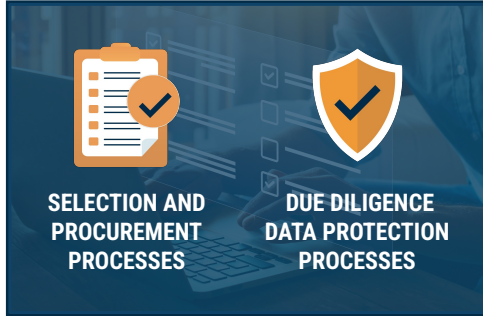
4

Incident Response &
Data Security in Practice



Resilient Ecosystem Practices

Shared Accountability Across the Technology Life Cycle



STRATEGIC SOURCING

CONTRACT MANAGEMENT

RISK MANAGEMENT

Centralized, Standardized, Cost-effective, and Sustainable Data Protection Processes

Post-Beach Response Actions

Repeatable Response Actions Following Vendor Incidents

VENDOR → LEA
NOTIFICATION



LEA IMPACT
DETERMINATION



LEA → FAMILY/STAFF
NOTIFICATION



DOCUMENT / MANAGE
RESPONSE EXPENSES



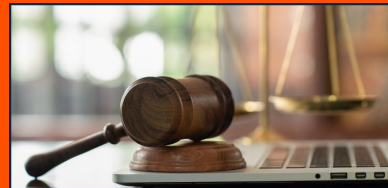
LEA → NYSED/GOV
REPORTING



MSA/DPA OBLIGATIONS
ENFORCEMENT



SEA / AG
ENFORCEMENT



LEA LEGAL
ACTION



Collaborative Post-Breach Response Structures and Resources

SHARED VENDOR BREACH RESPONSE STRUCTURES



SHARED CYBERSECURITY SUPPORT STRUCTURES



SHARED CONTRACT NEGOTIATION STRUCTURES



SEA, ESA, AND LEA COLLABORATION



SUPPORT WEBSITES AND COMMUNICATION SYSTEMS



COMMON RESPONSE DIRECTIONS



COMMON AGREEMENTS (NDPA AND SA)



A4L SDPC RESOURCE REGISTRY FEATURES



Vendor Incidents Impacting K-12

Types and Trends

VENDOR DATA BREACH



Credential Compromise

Software Misconfiguration

Software Vulnerability

Unauthorized Security
Testing

Exploited Software
Vulnerability

Mailing Error with PII

CONTRACT AND/OR LEGAL COMPLAINT



Vendor Operational
Non-Compliance After DPA
Execution

AI Functionality Potentially
Inconsistent with DPA
Terms

Vendor Did Not Follow
Specific Term(s)

VENDOR SOFTWARE VULNERABILITY



Authenticated-User
Vulnerabilities

OTHER



Helping Schools Determine
Covered Software

Widespread Ecosystem
Security Concerns

Wrap Up

Questions



NDPA Data Breach Agreement Terms



NDPA Disposition of Student Data Terms



NDPA Data Security (Framework) Terms



Incident Response & Data Security in Practice





Join A4L
Groups



Invite Others
to Join A4L



Share Ideas
and Feedback



Support Local
Adoption



Explore New
A4L Resource

Final Thoughts

Closing Comments



**KELLYROSE
YAEGER**

DID YOU
KNOW?

Final Thoughts

Closing Comments



**ROSS
LEMKE**

DID YOU
KNOW?

Final Thoughts

Closing Comments



**HEATHER
MAHONEY**

DID YOU
KNOW?