



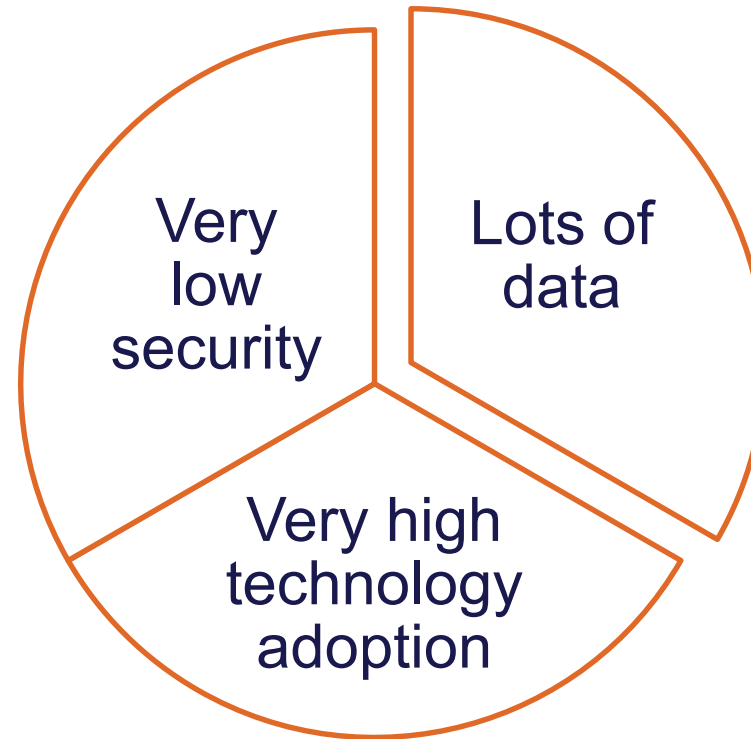
# STATE PRIVACY OFFICER ANNUAL REPORT SUMMARY

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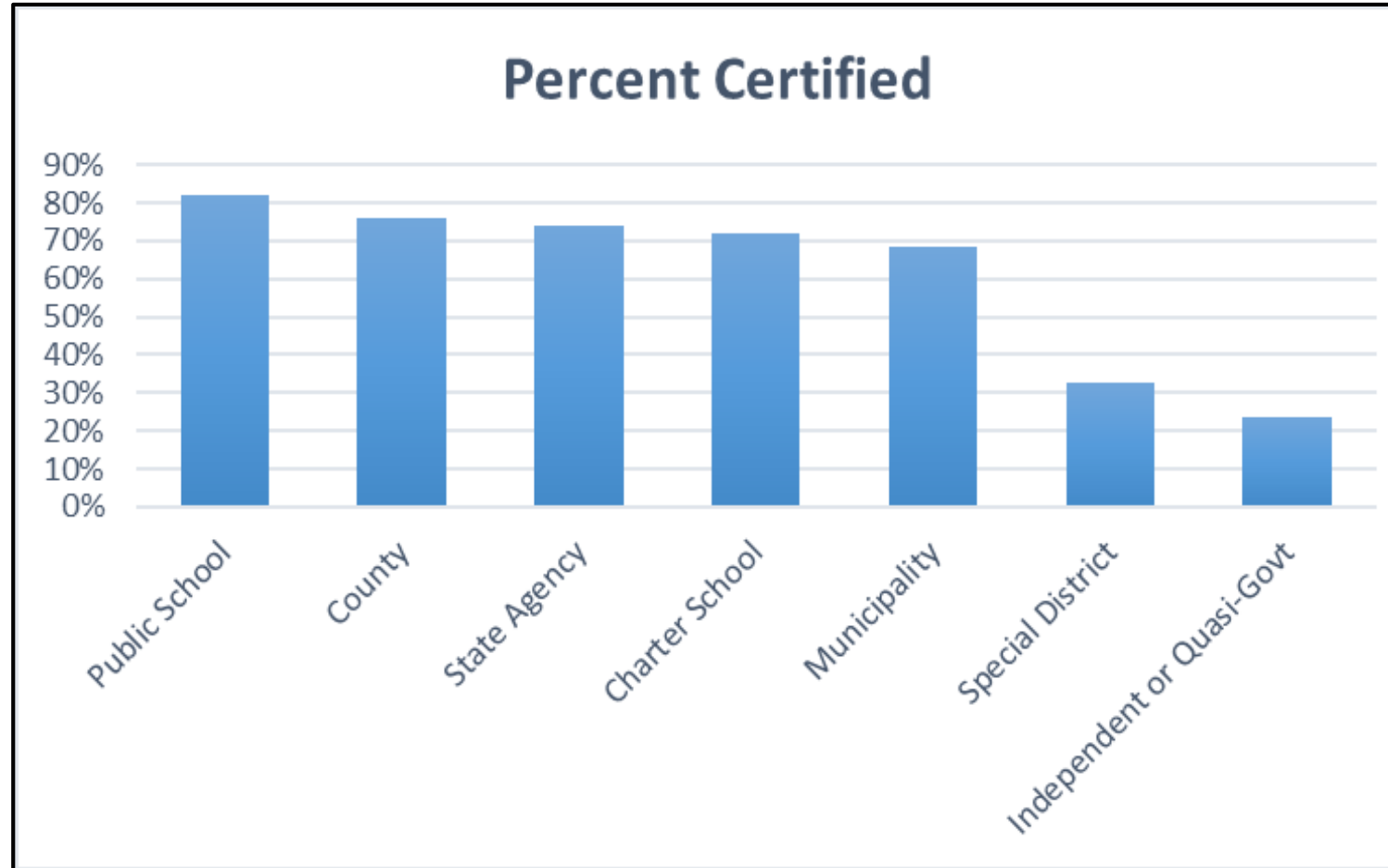


OFFICE OF THE  
STATE AUDITOR

Why is the  
state  
government  
an attractive  
target?



# Records Officer Certification 63G-2-108



# 0-5 Privacy Survey Results (0-5)

An optional survey based on was sent to:

- All 153 Local Education Agencies
- All 29 Counties
- All 168 other designated government entities with 50 or more employees.

\*58% response rate

**Results:** The survey revealed very **low privacy maturity**. The top 10 scores belonged to 8 Local Education Agencies and 2 Behavioral Health Facilities. The bottom 10 scores belonged to 4 counties and 6 cities.



# Institutions of Higher Education

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**Completed:** 16/18 Institutions of Higher Education have determined a privacy point of contact

**To be completed:**

- The Utah Board of Higher Education designation of a Higher Education Privacy Officer
- Adoption of policies to protect student data
- Development of privacy standards, model documents, or training materials
- Percent of Institutions of Higher Education that have created and maintained a data governance plan
- Creation of the Higher Education Privacy Advisory Group



# Privacy Success Story: Local Education Agencies

One time	
Develop the following policies	
<input type="checkbox"/> Create a data governance plan	53E-9-301(7)
<input type="checkbox"/> Work with parents to create a PPRA policy	20 USC 1232h(c)
Beginning of year	
Provide the following notices to parents	
<input type="checkbox"/> Annual FERPA Notice	34 CFR 99.7
<input type="checkbox"/> Directory Information	34 CFR 99.37
<input type="checkbox"/> Military Recruiter/Institution of Higher Education notice (often included in Annual FERPA Notice)	20 USC 7908
<input type="checkbox"/> Notice of record exchange after school transfer (often included in Annual FERPA Notice)	34 CFR 99.34
<input type="checkbox"/> Collection Notice	53E-9-305(2)
<input type="checkbox"/> PPRA notice (must be given by hand, mail, or email)	20 USC 1232h(c)(2) 53E-9-203(4) – (5)
Throughout the year	
<input type="checkbox"/> Provide annual training to all staff that have access to student education records on federal and state privacy laws	53E-9-203
<input type="checkbox"/> Ensure that data are collected in accordance with your collection and survey notices	53E-9-305 53E-9-203 20 USC 1232h
<input type="checkbox"/> Ensure that parent and eligible student rights to access, seek to amend, and consent to disclose are followed	34 CFR 99, Subparts B, C, and D
<input type="checkbox"/> Ensure that all disclosures of student data follow FERPA, the contract requirements of the SDPA, and your data governance plan	34 CFR 99, Subpart D 53E-9-308 53E-9-309
<input type="checkbox"/> Update your metadata dictionary	53E-9-303



# Privacy Success Story: Local Education Agencies

## Information Security Officer To Do List

Throughout the year	
<input type="checkbox"/> Implement the CIS controls or a comparable IT security framework	R277-487-2(6) R277-487-3(14)
<input type="checkbox"/> Investigate any incidents to determine if they are significant data breaches	R277-487-2(17)
<input type="checkbox"/> Ensure that parents, eligible students, and USBE are notified of any significant data breaches	53E-9-304(2)(a) R277-487-3(12)

## Records Officer To Do List

Throughout the year	
<input type="checkbox"/> Complete annual certification	63G-2-108
<input type="checkbox"/> Follow retention schedules	53E-9-306(3) R277-487-4
<input type="checkbox"/> Expunge records (as requested)	53E-9-306(1)(d) R277-487-4



# FY 2023

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- Modernize the General Retention Schedule (GRS)
- Increase the percent of active Records Officer Certifications
- Increase Institution of Higher Education compliance with state code
- Increase number of local government entities that have a Certified Information Privacy Manager
- Develop educational and training materials based on Utah's Fundamental Privacy Principles

