



Data Privacy

Types of Data:

Personally Identifiable Information (PII) is defined by Department of Labor as: Any representation of information that permits the identity of an individual to whom the information applies to be reasonably inferred by either direct or indirect means.

Confidential Information refers to any non-publicly available data or information in all forms collected, stored, or maintained that encompasses information that is personal to or uniquely identifies students, employees, agents, or other MCCCCD constituents, including but not limited to information that is protected by law or regulation.

Confidential Information includes, but is not limited to, social security numbers, student records, student financial records (regarding students, their parents, or sponsors), financial, credit, payment card and personal information regarding MCCCCD employees and students, protected health information, and other personally identifiable information.

Applicable laws related to confidential information include Family Educational Rights and Privacy Act (FERPA), Health Insurance Portability and Accountability Act of 1996 (HIPAA), Gramm–Leach–Bliley Act (GLBA aka Financial Services Modernization Act of 1999), Payment Card Industry Data Security Standard (PCI DSS), and applicable state laws. (From the District Privacy and Security Questionnaire for Screening).

District Policies regarding data privacy:

[4.22 Statement on Privacy](#); [4.23 Written Information Security Program](#); [4.4 Technology Resource Standards](#); [4.15 Retrieval, Disclosure and Retention of Records](#); [4.24 Information Security and Privacy Incident Response Plan](#)

“Information Security is everyone’s responsibility.” This is a line from MCCCCD 4.2 Statement on Privacy. The District employs various strategies to inform people of their responsibilities and the policies and procedures involved in protecting data. Some required actions/training includes (depending on position):

Signing Annual Acknowledgments and Disclosures, FERPA Training, Information Security and Privacy Awareness Training, Security Awareness Training, Data Security and Privacy Administrative Regulations, Contracts Lifecycle Management training, and other training.

One area in which the District protects information is during the [contracting process](#). All contract requestors fill out the “Privacy and Security Questionnaire for Screening,” which can be accessed in the “Contracts Templates” section of the District Legal website. When a requestor indicates that the contract will require sharing of confidential information, this triggers a privacy and security review.

This review seeks to understand 1) what data exactly will be shared, 2) how this data will be shared, 3) what the contracting party has regarding data security, 4) what the contracting party has regarding cyber liability insurance, 5) whether the contracting party is within the industry best practices regarding data security.

If a contract contemplates direct access to District systems or includes a large amount of Confidential information, the District will frequently ask for a System and Organization Controls (SOC) report. There are various levels of reports: a SOC 1 evaluates an organization's internal controls over financial reporting, whereas SOC 2 and SOC 3 examine how the organization safeguards customer data and how well those controls are operating.

These reports are typically reviewed with Legal and the IT Information Security team.

If the contract contemplates the sharing of Confidential Information, it is likely that the District will require the contracting party to sign the Data Confidentially and Security Addendum, which includes requirements relating to the storage and management of Confidential Information, insurance requirements, and among other requirements.



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