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**3047**  
**Data Breach Response**

**I. Preparation**

A data breach is an instance in which personal information as defined by state law or personally identifiable information as defined by federal law is released or accessed in an unauthorized manner. In order to ensure compliance with state and federal law; in the event of a breach the following preparatory steps shall be taken.

**A. Data Governance**

The superintendent, or their designee, will create an annually updated data directory that will include:

1. Computing devices purchased by the district,
2. Software that is installed on district devices,
3. Staff members with access to district devices,
4. Staff members with active usernames and passwords for any district software.

**B. New Devices and Software**

Any new software or device that is used in a district building for district purposes will be submitted to the superintendent or their designee for inclusion in the directory.

**II. Incident Response Plan**

**A. Assessment and Investigation**

1. If the District becomes aware of a data breach it will make every reasonable effort to remedy the cause of the breach as soon as possible.
2. The District will conduct a good faith, reasonable, and prompt investigation to determine the likelihood that personal information has been or will be used for an unauthorized purpose.

- 45 3. This investigation will include, but not be limited to, an  
46 assessment of what software, hardware, and physical  
47 documents were accessed; which District personnel had  
48 access to the compromised data; and what specific data  
49 was compromised.  
50

51 **B. Notification of Affected Individuals**  
52

- 53 1. If the investigation determines that the use of information  
54 about a Nebraska resident for an unauthorized purpose  
55 has occurred or is reasonably likely to occur, the district  
56 shall give notice to the affected Nebraska resident.  
57  
58 2. Notice shall be made as soon as possible and without  
59 unreasonable delay, consistent with the legitimate needs  
60 of law enforcement and consistent with any measures  
61 necessary to determine the scope of the breach and to  
62 restore the reasonable integrity of the computerized data  
63 system.  
64

65 **C. Notification of Law Enforcement and Outside  
66 Organizations**  
67

- 68 1. Should notice of the breach be required to any individual,  
69 notice of the breach will be simultaneously sent to the  
70 Nebraska Attorney General's office.  
71  
72 2. The Superintendent will determine if the Family Policy  
73 Compliance Office will be notified of the breach.  
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75 3. The Superintendent will determine if the Privacy Technical  
76 Assistance Center will be notified of the breach.  
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80 Adopted on: July 13, 2017

81 Revised on: December 11, 2018

82 Reviewed on: July 13, 2017; December 11, 2018  
83