

MLS Data Security and Privacy Policy

1. Glossary

- **CUNY** City University of New York
- **MLS** Multilingual Literacy SIFE Screener
- **SIFE** Students with Interrupted/Inconsistent Formal Education
- **NYSED** New York State Education Department
- **OBEWL** Office of Bilingual Education and World Languages
- **PII** Personally Identifiable Information

2. Overview

Using Student Personally Identifiable Information (PII) effectively and responsibly is foundational to making informed student educational decisions. Capturing accurate information is necessary for state reporting to NYSED regarding newcomer and SIFE assessment in New York State. State and federal laws establish baseline parameters for what is permissible when collecting and sharing student information. We use additional applicable state and federal guidelines and strict processes to protect the privacy of every student and to ensure the confidentiality and security of all data we collect.

CUNY follows NYSED's definition of PII as information which can be used to distinguish or trace the identity of an individual (e.g., name, student IDs) alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual (e.g., date of birth). CUNY includes in the latter any information that could reasonably be combined to re-identify a student (e.g., testing location, date of test, language of test, etc.).

3. Purpose

CUNY's primary responsibility is to service the educational and administrative needs of students as outlined in state and federal law. To provide necessary services, it is required that CUNY collects, stores, manages, and processes various pieces of student and organizational data. All CUNY data collections are governed by federal and state statutes, laws, and rules. The purpose of this policy is to identify, categorize, and communicate the information we collect as part of our commitment to transparency and student services.

4. Scope

This policy applies to all CUNY-MLS staff.

5. Policy

A. COLLECTION CATEGORIES

The following categories of PII shall be collected as part of normal CUNY operations:

- **Student Demographics**
 - Name
 - Date of Birth
 - Parent/Guardian Name(s)
 - Parent/Guardian Address(es)
- **Enrollment**
 - Student *New York State Student Identification System* (NYSSIS) number or *New York City Department of Education Open Student Information System* (OSIS) number
 - Local Student ID (optional)
 - Date of enrollment into New York State school system
 - Grade of matriculation into New York State school system
 - Final SIFE determination made by the school/district
- **SIFE Oral Interview Questionnaire Information**
 - Primary language
 - Language of textbooks in country of education
 - Last grade student reports having attended school
 - Does the student have a gap of 2+ years below age-appropriate grade level literacy prior to arrival in the US?
- **Exam Data**
 - District Name
 - School Name
 - Name of Proctor
 - Date of Test
 - Language of Test
 - Type of Test (Reading, Math, Early Literacy, Vocabulary)
 - Reason for testing (SIFE identification or not)
 - Potential SIFE status as indicated by exam(s)
 - Placement grade on MLS exam(s)

Policy Note: Data collection requirements change from time to time based on new and revised laws. Specific information on data collections should be directed to mls.email.server@gmail.com

● B. DATA SECURITY AND PROTECTIONS

CUNY shall use industry standard best practices to protect and safeguard Student PII. Controls employed against various systems include but are not limited to:

- User Access Control
 - Identity Management (Authentication/Authorization)
 - Role based access
 - Strong passwords and controls
 - Annual password expiration
 - Local access management
 - Access logging/monitoring (device & location)
 - Intrusion penetration/vulnerability testing
 - Annual mandatory user security awareness training

- At-Rest and In-Transit Data Encryption
 - Multi-level database encryption
 - Secure File Transfer Protocol (SFTP)
 - HTTPS and TLS Security
- Student Identity Protections
 - Various best-practice data de-identification techniques to protect student privacy

- **C. PII ACCESS AND RETENTION**

Student PII shall be accessed, stored and retained according to applicable state and federal guidelines surrounding educational records and archiving policy. Minimally, the following controls shall be in place:

- PII access is granted explicitly to the following personnel:
 - Authorized and authenticated personnel (NYSED-OBEWL, MLS Principal Investigator, MLS Project Director, MLS Website Programmer, MLS Data Scientist, and MLS User Support Specialist)

Retention/Archiving

CUNY will process student PII until no longer necessary in accordance with NYSED regulations and business needs. At that time, data will be fully anonymized by data blurring and archived.

At a minimum, all electronically archived PII shall:

- be encrypted and rendered non-individually identifiable
- have access restricted to authorized and authenticated personnel and be actively monitored

6. Audit Controls and Management

On-demand documented procedures and evidence of practice should be in place for this operational policy as part of the CUNY general management practices.

7. Enforcement

Staff members found in policy violation may be subject to disciplinary action, up to and including termination.

8. Distribution

This policy is to be distributed to all CUNY-MLS staff.