

## Network Security and Data Privacy Liability Insurance Guide

The table below lists the estimated level of coverage required for a Data Sharing Agreement based on the number of records provided to the recipient of the Data Sharing Agreement. The required coverage is determined by DAS Risk Management and is subject to change at any time with no notice. The table below is the estimated minimum level of coverage, and the actual coverage required may vary. The actual level of coverage will be determined by ODE Procurement, in consultation with the ODE Data Governance Committee, at the point in time that the Data Sharing Agreement is issued.

### Network Security and Data Privacy Liability Insurance Requirements

Number of Records <sup>1</sup>	Coverage Required
1 – 49,000	\$ 1,000,000.00
49,001 – 74,000	\$ 2,000,000.00
74,001 – 149,000	\$ 3,000,000.00
149,001 – 249,000	\$ 4,000,000.00
249,001 – 349,000	\$ 5,000,000.00
349,001 – 449,000	\$ 6,000,000.00
449,001 – 549,000	\$ 7,000,000.00
549,001 – 649,000	\$ 8,000,000.00
649,001 – 749,000	\$ 9,000,000.00
749,001 +	\$ 10,000,000.00 <sup>2</sup>

### Important Notes

1. Data Recipients that are considered “self-insured”<sup>3</sup> are not required to provide proof of insurance coverage, however the insurance requirements would apply to non-self-insured organizations who may be a sub-recipient on the agreement.

Example: The prime recipient of the data is a self-insured university, but the sub-recipient is a non-profit organization. The prime recipient would not be required to carry the insurance, but the sub-recipient would be required to carry the insurance.<sup>4</sup>

2. Network Security and Data Privacy Insurance is based on the number of “records” provided to a recipient and, unlike many other insurance requirements in agreements, is based on all Data Sharing Agreements held by the organization.

---

<sup>1</sup> Records are defined as the number of “persons” involved – for ODE purposes, typically students. Students are counted once per data sharing agreement including them for the purposes of this table, no matter how many individual data elements about the student are included.

<sup>2</sup> This level of coverage automatically triggers a review by DAS Risk Management

<sup>3</sup> “Self-insured” organizations are typically only universities, both in state/out of state universities, or other state agencies

<sup>4</sup> Sub-recipient insurance verified by prime recipient –not the ODE

Example: A Data Sharing Agreement is entered into with an organization that covers 50,000 records. The organization provides a certificate of insurance that shows the required coverage. The organization then enters into a separate data sharing agreement that covers 50,000 records<sup>5</sup>. The organization would need to provide a certificate of insurance that showed the increased amount of coverage based on the total number of records (100,000 records/\$3 million in coverage).

---

**Information Current as of: January 17, 2025**

---

<sup>5</sup> In this example, the previous Data Sharing Agreement is still in place and there is no overlap in the records provided