

 COLLEGE OF NURSING	Title: Purchasing Student-Facing Software Policy	Review Frequency: Every three years	Effective Date: 09/15/2020
	Document Category / Document Type: Shared / Policy	Doc Control #	HSC-1105 / CON-1115
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1.0 Purpose/Objectives.

- 1.1. The purchase of student-facing software and major software upgrades to be utilized by the Colleges and Schools within the HSC must be approved by the HSC Educational Technologies and Student Data Committee prior to being presented to UNM Purchasing for procurement. This includes software that is designed to run on an individual computer, from an HSC-owned server, or on a cloud provider.

2.0 Scope.

- 2.1. This policy is applicable to the UNM Health Sciences Schools, Colleges, and programs, regardless of component, department, unit, clinic, college or facility affiliation, as designated in UNM Board of Regents Policy 3.4, Health Sciences Center and Services and UNM Board of Regents Policy 3.7, and Health Sciences Center Institutional Compliance Program. This policy applies to all programs and departments that wish to purchase student-facing software.

3.0 Content.

3.1. Policy Statement

Prior to authorizing any student-facing software purchases, the HSC Educational Technologies and Student Data Committee must grant approval.

The HSC Educational Technologies and Student Data Committee will review all student-facing software purchases and major upgrades/updates including contract reauthorizations to ensure that:

- they are not duplicating existing software solutions in place within the HSC;
- they have adequate IT resources to provide administrative support for the software that will be maintained for the life of the software/software as a service (SaaS) subscription/agreement;
- they have adequate IT hardware resources available to run the software/SaaS;
- they align with a specific strategic directive (e.g., instructional changes, accreditation requirements, etc.);
- they meet established and appropriate physical, administrative and technical security safeguards and requirements and the vendor meets all legal requirements of the HSC;
- they provide an appropriate solution to the problem to be addressed;
- they are able to support effective data management as needed to achieve the academic mission of the HSC;
- contracting party has adequate cyber insurance in the event of a breach;
- data is defined as the property of UNM and there is sufficient data-backup capabilities in case of ransomware or other online cyber-attacks; and
- the contract has terms that address transfer of UNM data at the termination of the contract.

4.0 Responsibilities.

RESPONSIBILITIES	
Position/Title/Group	Requirements/Expectations/Duties
HSC Educational Technologies and Student Data Committee	a. The Committee shall review, and when appropriate, approve, requests for the purchase of student-facing software to ensure compliance with HIPAA, state law, FERPA and/or applicable GDPR regulations requirements protecting student data.
Purchasing	a. Purchasing shall only purchase student-facing software that has been approved by the HSC Educational Technologies and Student Data Committee.
School, College and Program Administrators	a. School, College and Program Administrators shall seek approval by the HSC Educational Technologies and Student Data Committee to purchase student-facing software and major software upgrades.

5.0 Records. Applicability/Retention.

Written recording of all HSC Educational Technologies and Student Data Committee meetings will be maintained per UNM Administrative Policies and Procedures, UAPPM Policy 6020, and applicable requirements of the New Mexico Public Records Act, N.M.S.A § 14-3-1 et. seq.

6.0 External Reference(s).

FERPA (20 U.S.C. 1232g; 34 CFR Part 99) and the Regulations promulgated thereunder
 HIPAA Privacy Rule Regulations (42 CFR 160, 162, and 164)
 HITECH (42 U.S.C. 300jj et. seq.)
 Public Records Act (N.M.S.A 1978, §14-3-1 et. seq.; NMAC §§1.13.10, 13.3.3 and 13.3.4)
<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>
<https://www.hhs.gov/hipaa/index.html>

7.0 Internal Reference(s).

<https://policy.unm.edu/regents-policies/section-4/4-4.html>
<https://registrar.unm.edu/privacy-rights/ferpa.html>
<https://pathfinder.unm.edu/campus-policies/student-records-policy.html>
<https://irb.unm.edu/sites/default/files/Guidance%20on%20FERPA.pdf>
<https://policy.unm.edu/university-policies/2000/2300.html>
https://fcm.unm.edu/education/images/docs/student_handbook.pdf
<https://registrar.unm.edu/forms/Proxy.pdf>

8.0 Definitions.

Student-facing software: Student-facing software includes any software that stores or manages student information for the purpose of learning, curricular management, clinical activity or other student records.

The HSC Educational Technologies and Student Data Committee: The HSC Educational Technologies and Student Data Committee consists of the HSC Registrar, CIO Privacy Officer, HSC Compliance Officer, UNM HSC Information Security Officer, representatives from Purchasing, the HSC Privacy Office, School of Medicine, Colleges of Nursing, Pharmacy, and Population Health, UNM HSC IT, and the Vice Chancellor for Academic Affairs.

Cloud Provider: There are three types of cloud providers; private, public and hybrid.

9.0 Key Words.

Student-facing software, policy, security, data management

10.0 Attachments.

None

11.0 Approval Authority.

APPROVAL and Information			
Item	Contact Information	Date	Approved/ Reviewed
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Official Signature			
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12.0 Document History.

HISTORY LOG				
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Origination Date: 12/03/2019 Effective Date: 09/15/2020	New	Purchasing Student- Facing Software Policy	Original	Dr. Christine E. Kasper, Dean and Professor