

**North Carolina State Bar Board of Legal Specialization**  
**2019 Privacy & Information Security Law**  
**Approved Continuing Legal Education Content**

For the purposes of CLE, **Privacy and Information Security Law** is defined as:

“data breach response laws, data security laws, and data disposal laws; unauthorized access to information systems, such as password theft, hacking, and wiretapping, including the Stored Communications Act, the Wiretap Act, and other anti-interception laws; cyber security mandates; website privacy policies and practices, including the Children’s Online Privacy Protection Act (COPPA); electronic signatures and records, including the Electronic Signatures in Global and National Commerce Act (E-SIGN Act) and the Uniform Electronic Transactions Act (UETA); e-commerce laws and contractual legal frameworks related to privacy and data security such as Payment Card Industry Data Security Standards (PCI-DSS) and the NACHA rules; direct marketing, including the CAN-SPAM Act, Do-Not-Call, and Do-Not-Fax laws; international privacy compliance, including the European Union data protection requirements; social media policies and regulatory enforcement of privacy-related concerns pertaining to the same; financial privacy, including the Gramm-Leach-Bliley Act, the Financial Privacy Act, the Bank Secrecy Act, and other federal and state financial laws, and the regulations of the federal financial regulators including the SEC, CFPB, and FinCEN; unauthorized transaction and fraudulent funds transfer laws, including the Electronic Funds Transfer Act and Regulation E, as well as the Uniform Commercial Code; credit reporting laws and other “background check” laws, including the Fair Credit Reporting Act; identity theft laws, including the North Carolina Identity Theft Protection Act and the Federal Trade Commission’s “Red Flags” regulations; health information privacy, including the Health Information Portability and Accountability Act (HIPAA); educational privacy, including the Family Educational Rights and Privacy Act (FERPA) and state laws governing student privacy and education technology; employment privacy law; and privacy torts” ...and areas of law which are included within those categories.

**Related areas** encompass other professional training that materially compliments the applicant’s understanding of and proficiency in, and enhances the applicant’s ability to practice effectively in, the areas of privacy and information security law, which may include, but is not limited to, the following examples:

- Technology training as that subject is defined as Rule .1501(c)(17) of Chapter 1, Title 27, of the NC Administrative Code
- Information technology law (e.g., information technology licensing)
- Intellectual property law
- Consumer protection law
- Employment discrimination law
- Health discrimination law
- Other anti-discrimination law
- Public records laws
- Financial regulation
- Consumer marketing law

- National security law
- Criminal laws
- International and human rights laws
- Trade secrets law
- Federal contracting
- Ethics CLE training (e.g., those related to handling of client data and information security, business email compromise, wire fraud, etc.)
- Litigation topics (e.g., those covering negligence claims and defenses, Article III standing, class actions, and shareholder derivative/securities fraud, limitations of liability, and similar matters)
- Constitutional law (e.g., privacy elements of the 1<sup>st</sup>, 4<sup>th</sup> and 5<sup>th</sup> amendments)
- Family law (e.g., spousal access to marital property, access issues related to a party's data post-separation, access to child's devices/data)
- Estate planning (e.g., access to digital devices and accounts/data of a decedent, planning for distribution of digital assets, dealing with digital data/ownership in wills, powers of attorney, provider terms of service, etc.)
- Insurance law (e.g., cyber liability coverage)
- Information security continuing education (CE) (such as the courses offered by or recognized by the ISC2 for certified information system security professionals (CSISP), the IAPP's Certified Information Privacy Technician (CIPT), and similar certifications).
- Information systems CE (such as the courses offered by or recognized by Microsoft for purposes of the Microsoft Certified Solutions Expert (MCSE), CompTIA, AWS Certified Solutions Architect, Cisco Certified Network Associate (CCNA), Google Certified Professional Cloud Architect, Certified ScrumMaster®, and similar certifications).