

ATTACHMENT S
PARENTS' BILL OF RIGHTS
FOR DATA PRIVACY AND SECURITY

To satisfy their responsibilities regarding provision of education to students in pre-kindergarten through grade twelve, "educational agencies" (as defined below) in State of New York collect and maintain certain personally identifiable information from the education records of their students. As part of the Common Core Implementation Reform Act, Education

A more detailed description of the PPPL is available from the Committee on Open Government of the New York Department of State. Guidance on what you should know about PPPL can be accessed at <http://www.dos.ny.gov/coog/shldno1.htm>. The Committee on Open Government's address is Committee on Open Government, Department of State, One Commerce Plaza, 99 Washington Avenue, Suite 650, Albany, _____

(a) Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person to identify the student. (b) Information that is not otherwise publicly available.

- o The policies will also require security measures when providing student data to parents, to ensure that only authorized individuals receive such data. A parent may be asked for information or verifications reasonably necessary to ensure that he or she is in fact the student's parent and is authorized to receive such information pursuant to law.

(C) State and federal laws protect the confidentiality of PII, and safeguards associated with industry standards and best practices including, but not limited to, encryption, firewalls, and password protection, must be in place when data is stored or transferred.

Education Law §2-d also specifically provides certain limitations on the collection of data by educational agencies, including, but not limited to:

- (A) A mandate that, except as otherwise specifically authorized by NYSED shall only collect PII relating to an educational purpose;
- (B) NYSED may only require districts to submit PII, including data on disability status and student suspensions, where such release is required by law or otherwise authorized under FERPA and/or the New York State Privacy Law; and
- (C) Except as required by law or in the case of educational enrollment data, school districts shall not report to NYSED student data regarding juvenile delinquency records, criminal records, medical and health records, student biometric information.

(D) Parents may access the NYSED Student Data Profile System by To: 01 Trivg0-0002 ID# 2.21k0 T
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Services of a third party contractor covered under Education Law §2-d include, but not limited to, data management or storage services, conducting studies for or on behalf of the educational agency, or audit or evaluation of publicly funded programs.

When an educational agency enters into a contract with a third party contractor, under which the third party contractor will receive

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Model Notification of Rights under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the [N(y t)]TJ -33.m

interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

[Optional] Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment transfer. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

1. The right to file a complaint with the U.S. Department of Education if you believe your rights have been violated. (See 34 CFR 101.117(a)-(c))

such as the State educational agency, the parent or eligible student's State (SEA) Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)

- x In connection with financial aid for which the student has applied or which the student has withdrawn
