

## **PARENTS' BILL OF RIGHTS** **FOR DATA PRIVACY AND SECURITY**

### *Summary of Rights and Information for Parents and Students*

The Brighton Central School District Board of Education is committed to ensuring student privacy in accordance with local, state and federal regulations and district policies. To this end and pursuant to recent amendments to the New York State Education Law (Education Law §2-d) as well as District obligations under the Federal Family Educational Rights and Privacy Act (FERPA), the District is providing the following Parents' Bill of Rights for Data Privacy and Security (Parents' Bill of Rights).

This summary sets forth key rights and information parents should be aware of in regard to ensuring the privacy and security of student educational data<sup>1</sup>.

1. A student's personally identifiable information cannot be sold or released for any commercial purpose;
2. Parents have the right to inspect and review the complete contents of their child's education record;
3. State and federal laws protect the confidentiality of personally identifiable information. 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;
4. A complete list of all student data elements collected by the State is available for public review (in an Excel File) at <http://www.p12.nysed.gov/irs/sirs/documentation/NYSEDstudentData.xlsx> or by writing to the Office of Information & Reporting Services, New York State Education Department, Room 863 EBA, 89 Washington Avenue, New York 12234;
5. Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed to Eric Jordan, Senior Network Technician, [Eric\\_Jordan@bcsd.org](mailto:Eric_Jordan@bcsd.org) or Eric Jordan, Senior Network Technician, Brighton Central School District, 2035 Monroe Avenue, Rochester, NY 14618.
6. Complaints to SED should be directed to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234; the e-mail address is [cpo@mail.nysed.gov](mailto:cpo@mail.nysed.gov). (Note, State Education Department's (SED) complaint process are to be established through regulations from SED's Chief Privacy Officer (SED CPO), who has yet to be appointed.)

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<sup>1</sup> The Board anticipates amending this Parents' Bill of Rights to be consistent with final regulations issued by the yet to be appointed SED CPO.

If the Brighton Central School District enters into a third party contract in which the service provider receives student data or teacher or principal data in order to provide a needed service for the District, supplemental information shall be developed and information of third party data protection is available for parents. Such information shall state:

1. The exclusive purposes for which the student data or teacher or principal data will be used;
2. How the third party contractor will ensure that the subcontractors, persons or entities that the third party contractor will share the student data or teacher or principal data with, if any, will abide by data protection and security requirements;
3. When the contract or agreement expires and what happens to the student data or teacher or principal data upon expiration of the agreement;
4. If and how a parent, student, eligible student, teacher or principal may challenge the accuracy of the student data or teacher or principal data that is collected; and
5. Where the student data or teacher or principal data will be stored and the security protections taken to ensure such data will be protected, including whether such data will be encrypted.

**Related information is available at:**

- New York State Department of Education guidance document issued on July 29, 2014 <http://www.p12.nysed.gov/docs/parents-bill-of-rights.pdf>
- U.S. Department of Education press release: Guidance for Schools Issued on How to Keep Parents Better Informed on the Data They Collect on Students (<http://www.ed.gov/news/press-releases/guidance-schools-issued-how-keep-parents-better-informed-data-they-collect-stude>)
- Privacy Technical Assistance Center (PTAC): newly established one-stop resource for education stakeholders to learn about data privacy. <http://ptac.ed.gov/>

**Policy Cross References**

- 7240 Student Records: Access and Challenge
- 7242 Student Directory Information
- 7243 Release of Directory Information and Military Recruiters/Access to Secondary School
- 7244 Student Data Breaches
- 7250 Student Privacy, Parental Access to Information, and Administration of Certain Physical Examinations to Minors