PARENTS' BILL OF RIGHTS

1. A student’s personally identifiable information cannot be sold or released for any commercial purposes.

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, 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.


5. Parents have the right to have complaints addressed regarding possible breaches of student data. Complaints should be directed to [INSERT LOCAL DISTRICT CONTACT NAME AND CONTACT INFORMATION] or with NYSED. Complaints to NYSED should be directed in writing to the Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, New York 12234 or by e-mail to CPO@mail.nysed.gov

When the District contracts with a third party contractor who receives student, teacher or principal data, as defined by NY Education Law §2, the contract shall include the following "supplemental information":

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 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 (described in such a manner as to protect data security), and the security protections taken to ensure such data will be protected, including whether such data will be encrypted.


References:  
Education Law §2  
NYSED "Parents Bill of Rights for Data Privacy and Security"

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1 NYSED has stated that the complaint process is under development and will be established through regulations.
SUPPLEMENTAL INFORMATION

[FOR TUITION CONTRACTS]²

1. The exclusive purposes for which the student data will be used:

   Student data will be used for the purpose of educating the student.

2. How the contractor will ensure that subcontractors, persons or entities with whom it shares student data will abide by data protection and security requirements:

   [TO BE COMPLETED BY CONTRACTOR]

3. When the agreement expires and what happens to the student data upon expiration of the agreement:

   [TO BE COMPLETED BY CONTRACTOR]

4. If and how a parent or student may challenge the accuracy of the student data that is collected:

   [TO BE COMPLETED BY CONTRACTOR]

5. Where the student data will be stored and the security protections taken to ensure such data will be protected, including whether such data will be encrypted:

   [TO BE COMPLETED BY CONTRACTOR]

² Please contact our office regarding the applicability of this form to each individual contract.
SUPPLEMENTAL INFORMATION
[FOR RELATED SERVICES CONTRACTS]

1. The exclusive purposes for which the student data will be used:

   Student data will be used for the purpose of providing related services to the student.

2. How the contractor will ensure that subcontractors, persons or entities with whom it shares student data will abide by data protection and security requirements:

   [TO BE COMPLETED BY CONTRACTOR]

3. When the agreement expires and what happens to the student data upon expiration of the agreement:

   [TO BE COMPLETED BY CONTRACTOR]

4. If and how a parent or student may challenge the accuracy of the student data that is collected:

   [TO BE COMPLETED BY CONTRACTOR]

5. Where the student data will be stored and the security protections taken to ensure such data will be protected, including whether such data will be encrypted:

   [TO BE COMPLETED BY CONTRACTOR]
SUPPLEMENTAL INFORMATION
[FOR SEDCAR AGREEMENTS]

1. The exclusive purposes for which the student data will be used:

   Student data will be used for the purpose of providing payment pursuant to the IDEA Sections 611 and/or 619.

2. How the contractor will ensure that subcontractors, persons or entities with whom it shares student data will abide by data protection and security requirements:

   [TO BE COMPLETED BY ASEP/LEA]

   ___________________________________________________________________________________
   ___________________________________________________________________________________
   ___________________________________________________________________________________

3. When the agreement expires and what happens to the student data upon expiration of the agreement:

   [TO BE COMPLETED BY ASEP/LEA]

   ___________________________________________________________________________________
   ___________________________________________________________________________________
   ___________________________________________________________________________________

4. If and how a parent or student may challenge the accuracy of the student data that is collected:

   [TO BE COMPLETED BY ASEP/LEA]

   ___________________________________________________________________________________
   ___________________________________________________________________________________
   ___________________________________________________________________________________

5. Where the student data will be stored and the security protections taken to ensure such data will be protected, including whether such data will be encrypted:

   [TO BE COMPLETED BY ASEP/LEA]

   ___________________________________________________________________________________
   ___________________________________________________________________________________