

## **8635-E PARENTS' BILL OF RIGHTS FOR STUDENT DATA PRIVACY AND SECURITY**

The Valley Stream CHSD will disclose personally identifiable information from student records, without consent, to other school officials within the district whom the district has determined to have legitimate educational interests. School Officials are persons who have legitimate education interest in a student record who is employed by the district as an administrator, supervisor, instructor or support staff member (including health or medical staff and security personnel); a member of the Board of Education; a person or company with whom the district has contracted to perform a special task (such as attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee such as disciplinary or grievance committee, or assisting another school official performing their tasks.

A school official has a legitimate education interest if they need to review a student's record in order to fulfill their professional responsibilities.

Upon request, the district will disclose education records without consent to official of another school district in which a student seeks to or intends to enroll or is actually enrolled.

Personally identifiable information will be released to third party authorized representatives for the purposes of educational program audit, evaluation, enforcement or compliance purposes.

The district, at its discretion, releases directory information without prior consent, unless the parent/guardian or eligible student has exercised their right to prohibit release of the information without prior written consent.

Upon request, the district will disclose a high school students' name, address and telephone number to military recruiters and institutions of higher learning unless the parent or secondary school student exercise their right to prohibit release of the information without the prior written consent.

The Valley Stream CHSD, in recognition of the risk of identity theft and unwarranted invasion of privacy, affirms its commitment to safeguarding student personally identifiable information (PII) in educational records from unauthorized access or disclosure in accordance with State and Federal law.

The Valley Stream CHSD establishes the following parental bill of rights:

- Student PII will be collected and disclosed only as necessary to achieve educational purposes in accordance with State and Federal Law.
- A student's personally identifiable information cannot be sold or released for any marketing or commercial purposes by a third-party contractor. The district will

not sell student personally identifiable information. The District will not release personally identifiable information for commercial purposes.

- Parents have the right to inspect and review the complete contents of their child's education record (for more information about how to exercise this right, see 5500-R).
- State and federal laws, such as NYS [Education Law §2-d](#) and the Family Educational Rights and Privacy Act, protect the confidentiality of students' 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.
- A complete list of all student data elements by the State Education Department is available for public review at <http://www.p12.nysed.gov/irs/sirs> or by writing to: Office of Information & Reporting Services, New York State Education Department, Room 863 EBA, 89 Washington Avenue, Albany, NY 12234.
- Parents have the right to have complaints about possible breaches and unauthorized disclosures of student's data addressed. Complaints should be directed to Superintendent of Schools, 1 Kent Rd., Valley Stream, NY 11010 or by calling (516) 872-5601. Complaints can also be directed to the New York State Education Department online at <http://www.nysed.gov/data-privacy-security/report-improper-disclosure>, by mail to the Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234 or by email to [privacy@mail.nysed.gov](mailto:privacy@mail.nysed.gov) or by telephone at (518) 474-0937.
- Parents have the right to be notified in accordance to applicable laws and regulations if a breach or unauthorized release of their student's PII occurs.
- Parents can expect that educational agency workers who handle PII will receive annual training on applicable federal and state laws, regulations, educational agency's policies and safeguards which will be in alignment with industry standards and best practices to protect PII.

### **Third Party Contractors**

In the event that the district engages a third-party provider to deliver student educational services, the contractor or subcontractors will be obligated to adhere to State and Federal Laws to safeguard student PII.

The District shall publish on its website the supplement to the bill of rights for any contract or other written agreement with a third-party contractor that will receive personally identifiable information.

The bill of rights and supplemental information may be redacted to the extent necessary to safeguard the privacy and/or security of the educational agency's data and/or technology infrastructure.

Third-party contractors are also required to:

- Provide training on federal and state law governing confidentiality to any officers, employees, or assignees who have access to student data or teacher or principal data.
- Limit internal access to education records to those individuals who have a legitimate educational interest in such records.
- Not use educational records for any other purpose than those explicitly authorized in the contract.
- Not disclose personally identifiable information to any other party (i) without the prior written consent of the parent or eligible student; or (ii) unless required by statute or court order and the third-party contractor provides a notice of the disclosure to the New York State Education Department, board of education, or institution that provided the information no later than the time the information is disclosed, unless providing notice of the disclosure is expressly prohibited by the statute or court order;
- Maintain reasonable administrative, technical and physical safeguards to protect the security, confidentiality and integrity of personally identifiable student information in its custody.
- Use encryption technology to protect data while in motion or in its custody from unauthorized disclosure as specified in [Education Law §2-d](#).
- Notify the District of any breach of security resulting in an unauthorized release of student data or teacher or principal data, in the most expedient way possible and without unreasonable delay.
- Provide a data security and privacy plan outlining how all state, federal and local data security and privacy contract requirements will be implemented over the life of the contract.
- Provide a signed copy of this Bill of Rights to the District thereby acknowledging that they are aware of and agree to abide by this Bill of Rights.

Parents can request information about third-party contractors by contacting the Assistant Superintendent for Curriculum & Instruction, 1 Kent Rd., Valley Stream, NY 11580 or by calling (516) 872-5607.

**Valley Stream Central High School District**