

## **Parents' Bill of Rights for Data Privacy and Security**

The Port Byron Central School District is committed to ensuring student privacy in accordance with local, state and federal regulations and district policies. To this end and pursuant to U.S. Department of Education (DOE) regulations (Education Law §2-d), the district is providing the following Parents' Bill of Rights for Data Privacy and Security:

- A student's personally identifiable information cannot be sold or released for any commercial or marketing purposes.
- Parents have the right to inspect and review the complete contents of their child's education record, including any student data maintained by the Port Byron Central School District. This right of inspection of records is consistent with the federal Family Educational Rights and Privacy Act (FERPA). Under the more recently adopted regulations (Education Law §2-d), the rights of inspection are extended to include data, meaning parents have the right to inspect or receive copies of any data in their child's educational record. The New York State Education Department (SED) will develop further policies and procedures related to these rights in the future.
- 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.
- 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>. Parents may also obtain a copy of this list by writing to the Office of Information & Reporting Services, New York State Education Department, Room 863 EBA, 89 Washington Avenue, Albany, N.Y. 12234.
- Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed to:

Neil O'Brien, Superintendent, and  
Wenwei Hsu, Director of Technology

Port Byron Central School District  
30 Maple Ave.  
Port Byron, NY 13140  
[nobrien@pbcschools.org](mailto:nobrien@pbcschools.org)  
[whsu@pbcschools.org](mailto:whsu@pbcschools.org)

Complaints to SED should be directed to:

Chief Privacy Officer  
New York State Education Department  
89 Washington Avenue

Albany, NY 12234  
[cpo@mail.nysed.gov](mailto:cpo@mail.nysed.gov)

SED's complaint process is under development and will be established through regulations from the department's chief privacy officer, who has yet to be appointed.

### **Additional student data privacy information**

This bill of rights is subject to change based on regulations of the commissioner of education and the SED chief privacy officer, as well as emerging guidance documents from SED. For example, these changes/additions will include requirements for districts to share information about third-party contractors that have access to student data, including:

- How the student, teacher or principal data will be used;
- How the third-party contractors (and any subcontractors/ others with access to the data) will abide by data protection and security requirements;
- What will happen to data when agreements with third-party contractors expire;
- If and how parents, eligible students, teachers or principals may challenge the accuracy of data that is collected; and
- Where data will be stored to ensure security and the security precautions taken to ensure the data is protected, including whether the data will be encrypted.

### **More information**

More information is also available on the following websites:

- [New York State Department of Education guidance document](#) issued on July 29, 2014 (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 (PDF)
- [Privacy Technical Assistance Center \(PTAC\)](#): Newly established one-stop resource for education stakeholders to learn about data privacy.