



Shenendehowa

Central Schools

BOE Policy 3305R ***Community Relations***

SUBJECT: PARENT BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY REGULATION

The Board of Education is committed to protecting the privacy and security of student, teacher and principal data. The confidentiality of personally identifiable information (PII) about a student is protected by both federal and state law.

The following Parents Bill of Rights for Data Privacy and Security will be published on the District's website and included in the contract with every third-party contractor who will receive the personally identifiable information of students.

Parents (including legal guardians or persons in parental relationships) and Eligible Students (students 18 years and older) can expect the following:

A student's personally identifiable information (PII) cannot be sold or released for any Commercial or Marketing purpose. PII, as defined by Education Law § 2-d and the Family Educational Rights and Privacy Act ("FERPA"), includes direct identifiers such as a student's name or identification number, parent's name, or address; and indirect identifiers such as a student's date of birth, place of birth, social security number, biometric record and mother's maiden name, which when linked to or combined with other information that, alone or in combination, is linked or linkable to a specific student and would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or any information requested by a person if the educational agency or institution reasonably believes that person knows the identity of the student to whom the education record relate.

The right to inspect and review the complete contents of the student's education record stored or maintained by an educational agency. This right may not apply to Parents of an Eligible Student.

State and federal laws such as Education Law § 2-d; the Commissioner of Education's Regulations at 8 NYCRR Part 121, FERPA at 12 U.S.C. 1232g (34 CFR Part 99); Children's Online Privacy Protection Act ("COPPA") at 15 U.S.C. 6501-6502 (16 CFR Part 312); Protection of Pupil Rights Amendment ("PPRA") at 20 U.S.C. 1232h (34 CFR Part 98); and the Individuals with Disabilities Education Act ("IDEA") at 20 U.S.C. 1400 et seq. (34 CFR Part 300); protect the confidentiality of a student's 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 student PII is stored or transferred.



A complete list of all student data elements collected by NYSED is available at www.nysed.gov/data-privacy-security/student-data-inventory and by writing to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234.

The right to have complaints about possible breaches and unauthorized disclosures of PII addressed. (i) Complaints should be submitted to the Shenendehowa Central School District, Director of Policy & Community Development/Data Protection Officer, 5 Chelsea Place, Clifton Park, NY 12065. (ii) Complaints may also be submitted to the NYS Education Department at www.nysed.gov/data-privacy-security/report-improper-disclosure, by mail to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234; by email to privacy@nysed.gov; or by telephone at 518-474-0937.

To be notified in accordance with applicable laws and regulations if a breach or unauthorized release of PII occurs.

Educational agency workers that handle PII will receive training on applicable state and federal laws, policies, and safeguards associated with industry standards and best practices that protect PII.

Educational agency contracts with vendors that receive PII will address statutory and regulatory data privacy and security requirements.

Adopted: February 10, 2015

Reviewed/Revised: August 11, 2020, January 10, 2023