

PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY

The Great Neck Public Schools are committed to protecting the privacy and security of each and every student's Personally Identifiable Information (PII) from unauthorized access or disclosure in accordance with Federal and New York State Law including Part 121 of the New York State Commissioner of Education's Regulations and Education Law §2-d. PII includes information that can be used to distinguish or trace an individual's identity either directly or indirectly through linkages with other information. Parents/guardians should be aware of the following rights they have concerning their child's data:

- 1) Student PII will be collected and disclosed only as necessary to achieve educational purposes in accordance with New York State and Federal Law.
- 2) Student's PII can only be released to the extent that it is designated by the District as part of directory information in accordance with *Policy 5500 Student Records*.
- 3) Student PII cannot be sold or released by the District or a third party contractor for any marketing or commercial purpose.
- 4) Parents/guardians have the right to inspect and review the complete contents of their child's education record.
- 5) The confidentiality of a student's PII, protected by existing New York State and Federal laws, and safeguards associated with industry standards and best practices must be in place when data is stored or transferred.
- 6) A complete list of all student data elements collected by the New York State Education Department is available for public review at: <http://www.nysed.gov/data-privacy-security/student-data-inventory> or by writing to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234.
- 7) Parents/guardians have the right to file complaints about possible breaches and unauthorized disclosures of student data. Parents/guardians may submit a written complaint regarding potential breach by the Great Neck Public Schools to the Superintendent of Great Neck Public Schools, 345 Lakeville Road, Great Neck, NY 11020. The District will log and investigate all such complaints and *any* findings will be communicated within 60 calendar days.

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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 11234, by email to privacy@mail.nysed.gov or by telephone at 518-474-0937.

- 8) Parents/guardians and staff have the right to be notified in accordance with, applicable laws, regulations and *Policy 8635 Information and Data Privacy, Security Breach and Notification* if a breach or unauthorized release of their PII occurs. The District will send an incident notification letter to parents/guardians and/or staff.
- 9) In alignment with industry standards, best practices and *Policy 8635 Information and Data Privacy, Security Breach and Notification* All staff will receive annual data privacy and security awareness training to protect PII that includes information related to applicable Federal and New York State laws, regulations, District policies and safeguards against common threats such as phishing and other cyber attacks.
- 10) If the Great Neck Public Schools enters into a contract with a third party to provide, deliver or facilitate student educational services, the contractor or subcontractors will be obligated to adhere to New York State and Federal Laws to safeguard student PII. Supplemental information for each such contract will be posted on the District website along with this policy.
- 11) This Parents' Bill of Rights will be included with every contract or other written agreement entered into by the District with a third-party contractor if the contractor will receive student data or teacher or principal data. The Bill of Rights shall also be supplemented to include information about each contract or other written agreement that the District enters into with a third-party contractor receiving student data or teacher or principal data, including: the exclusive purpose(s) for which PII data will be used; how the contractor will ensure confidentiality and data protection and security requirements; the duration and date of expiration of the contract and what happens to PII data upon the expiration of the contract; if and how the accuracy of PII data collected can be challenged; 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 and data security and privacy risks mitigated; and how PII data will be protected using encryption while in motion and at rest.

- 12) Parents/guardians can request information about third party contractors by contacting the District Protection Officer at: 345 Lakeville Road, Great Neck, NY 11020, 516-441-4080, dpo@greatneck.k12.ny.us or can access the information on the district's website at www.greatneck.k12.ny.us.
- 13) This Parents' Bill of Rights and supplemental information for contracts with third-party contractors shall be posted on the District's website at: www.greatneck.k12.ny.us. Parents/guardians may access the New York State Education Department's Parents' Bill of Rights at: <http://www.nysed.gov/common/nysed/files/programs/student-data-privacy/parents-bill-of-rights.pdf>

The District will provide annual notice of the Parents' Bill of Rights including a statement that the parent/guardian or eligible student has a right to:

- 1) inspect and review the student's education records;
- 2) request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- 3) consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and
- 4) file a complaint with the United States Department of Education alleging failure of the District to comply with FERPA and its regulations; and/or file a complaint regarding a possible data breach by a third party contractor with the District and/or the New York State Education Department's Chief Privacy Officer for failure to comply with New York State law.

The District will provide annual notice of the Parents' Bill of Rights informing parents/guardians and students:

- 1) that it is the District's policy to 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. The notice will define school official and legitimate educational interest.
- 2) that, upon request, the District will disclose education records without consent to officials of another school district in which a student seeks to or intends to enroll or is actually enrolled.
- 3) that PII will be released to third party authorized representatives for the purposes of educational program audit, evaluation, enforcement or compliance purposes.
- 4) that the District, at its discretion, releases directory information, as defined below, without prior consent, unless the parent/guardian or eligible student has exercised their right to prohibit release of the information without prior written consent. The District will not sell directory information.

- 5) that, upon request, the District will disclose a high school student's name, address and telephone number to military recruiters and institutions of higher learning unless the parent or secondary school student exercises their right to prohibit release of the information without prior written consent.
- 6) of the procedure for exercising the right to inspect, review and request amendment of student records.
- 7) that the District will post online a supplement to the 'Parents' Bill of Rights' about third parties with which the District contracts that use or have access to PII.

Great Neck Public Schools

Adopted: 05/11/15

Proposed Revision: 5/13/20