VALLEY STREAM UNION FREE SCHOOL DISTRICT THIRTEEN
585 NORTH CORONA AVENUE
VALLEY STREAM, NY 11580

PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY

The Valley Stream Union Free School District Thirteen is committed to protecting the privacy and security of student, teacher, and principal data. The District will disclose personally identifiable information ("PII") 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 her/his 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 officials of another school district in which a student seeks to or intends to enroll or is actually enrolled.

PII 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 Union Free School District Thirteen, in recognition of the risk of identity theft and unwarranted invasion of privacy, affirms its commitment to safeguarding student PII in educational records from unauthorized access or disclosure in accordance with state and federal laws.

The Valley Stream Union Free School District Thirteen 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 laws.

- A student's PII cannot be sold or released for any marketing or commercial purposes by a third-party contractor. The district will not sell student PII. The District will not release PII for commercial purposes.

- The District shall annually provide data privacy and security awareness training to its officers and employees with access to PII. Such training should include but not be limited to training on the state and federal laws that protect PII, and District policies. Such compliance training may be delivered using online training tools.

- Parents have the right to inspect and review the complete contents of their child's education record maintained by the District.

- State and federal laws, such as NYS Education Law §2-d and the Family Educational Rights and Privacy Act, protect the confidentiality of student PII (as defined under Education Law 2d), 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 by the State Education Department is available for public review at nysed-data-elements.xlsx (live.com).

- The list may also be made available 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 data addressed. Complaints should be directed to:

  Valley Stream Union Free School District Thirteen
  Attn: Superintendent of Schools
  585 N. Corona Avenue
  Valley Stream, NY 11580
  Email: jlarocca@valleystream13.com
  Ph: (516) 568-6100

  OR

New York State Education Department
Attn: Chief Privacy Officer
89 Washington Avenue
Albany, NY 12234
Email: privacy@nysed.gov
Ph: (518) 474- 0937
Online Form: http://www.nysed.gov/data-privacy-security/report-improper-disclosure

- Parents have the right to be notified in accordance with applicable laws and regulations if a breach or unauthorized release of their student's PII occurs.

Obligations of Third-Party Contractors:

In the course of complying with its obligations under the law and providing educational services, Valley Stream Union Free School District Thirteen has entered into agreements with certain third-party contractors. Pursuant to such agreements, third-party contractors may have access to "student data" and/or "teacher or principal data." Each contract the District enters into with a third-party contractor where the third-party contractor receives student data or teacher or principal data will include information addressing the following:

1. The exclusive purposes for which the student data or teacher or principal data will be used, as defined in the contract;

2. How the third-party contractor will ensure that the subcontractors, or other authorized persons or entities to whom the third-party contractor will disclose the student data or teacher or principal data, if any, will abide by all applicable data protection and security requirements, including but not limited to those outlined in applicable state and federal laws and regulations (e.g., FERPA; Education Law §2-d);

3. When the agreement expires and what happens to the student data or teacher and principal data upon expiration of the agreement;

4. The duration of the contract, including the contract's expiration date and a description of what will happen to the student data or teacher or principal data upon expiration of the contract or other written agreement (e.g., whether, when and in what format it will be returned to the District, and/or whether, when and how the data will be destroyed);

5. 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;

6. 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; and

7. How the data will be protected using encryption while in motion and at rest.

Third-Party Contractors are required to:

1. Adopt technologies, safeguards and practices that align with the NIST Cybersecurity Framework;

2. Comply with the data security and privacy policy of the District; Education Law § 2-d; and 8 NYCRR § 121.9;

3. 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;

4. Limit internal access to education records to those individuals who have a legitimate educational interest in such records;

5. Not use educational records for any other purpose than those explicitly authorized in the contract;

6. Except for authorized parties of the third party contractor, to the extent they are carrying out the contract, not disclose PII to any other party without the prior written consent of the parent or eligible student: (i) except for authorized representatives of the third-party contractor such as a subcontractor or assignee to the extent they are carrying out the contract and in compliance with state and federal law, regulations and its contract with the District; or (ii) unless required by statute or court order and the third-party contractor provides a notice of 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 disclosure is expressly prohibited by the statute or court order;

7. Maintain reasonable administrative, technical and physical safeguards to protect the security, confidentiality and integrity of student PII in its custody;

8. Use encryption technology to protect data while in motion or in its custody from unauthorized disclosure using a technology or methodology specified by the Secretary of the United States Department of Health and Human Services in guidance issued under Section 13402(H)(2) of Public Law 111-5;

9. Notify Valley Stream Union Free School District Thirteen 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;

10. 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; and

11. Provide a signed copy of this Bill of Rights to the Valley Stream Union Free School District Thirteen thereby acknowledging that they are aware of and agree to abide by this Bill of Rights.

This Bill of Rights is subject to change based on regulations of the Commissioner of Education and the New York State Education Department's Chief Privacy Officer, as well as emerging guidance documents.

Adopted: August 2014

Vendor signature: _____
Title: _____
Company Name: _____