

**PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND
SECURITY OF DATA (revised and adopted May 7, 2020)**

The Croton-Harmon Union Free School District (the "District"), 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, and to comply with Federal and New York State Law. In accordance with New York State Education Law Section 2-d, the District hereby sets forth the following Parents' Bill of Rights for Data Privacy and Security, which is applicable to all students and their parents and legal guardians.

1. Education Law Section 2-d ("Section 2-d") and the Family Educational Rights and Privacy Act ("FERPA") protect the confidentiality of personally identifiable information ("PII"). Section 2-d and FERPA assures the confidentiality of records with respect to "third parties," and provides parents with the right to consent to disclosures of PII contained in their child's education records.
2. PII includes, but is not limited to:
 - The student's name;
 - The name of the student's parent(s) or other person "in parental relation to" the student, or other family members of the student;
 - The address of the student or any member of the family of the student;
 - A personal identifier, such as the student's social security number, student number, or biometric record;
 - Other indirect identifies, such as the student's date of birth, place of birth, and mother's maiden name;
 - Other information that, alone or in combination, is linked or linkable to a specific student that 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
 - Information requested by a person who the District reasonably believes knows the identity of the student to whom the educational record relates.
3. Student PII will be collected and disclosed only as necessary to achieve educational purposes in accordance with Federal and New York State law.
4. Students' PII is accessible only to:

- School officials (including consultants and other contractors) who have a “legitimate educational interest” in accessing such information (i.e. who require such information to perform their responsibilities to the District);
 - The New York State Education Department (“NYSED”) or another federal or New York State agency, to the extent such agency collects student data elements for authorized use;
 - Parent(s) and other persons “in parental relation to” a student—about their own child, upon written request to the Superintendent of Schools or the Building Principal;
 - “Eligible students” (i.e. students age 18 or older)—about themselves, upon written request to the Superintendent of Schools or the Building Principal;
 - Another school or school district in which a student seeks to enroll or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer, upon written request of the parent(s) or other person(s) “in parental relation to” the student or the eligible student, or if otherwise required by law;
 - Other persons or entities, with written consent of a student’s parent or other person(s) in parental relation to the student, or the eligible student themselves, as applicable;
 - Other persons and/or entities, without written consent, only as expressly authorized by law (i.e. in response to a lawfully issued subpoena).
5. A student’s PII cannot be sold or released for any marketing or commercial purposes by the District or by any third party contractor. The District will not sell any student’s PII and will not release such PII for marketing or commercial purposes, other than directory information as defined by Board policy released by the District in accordance with policy. The District shall include in each contract with a third-party contractor or provider; provisions setting forth the contractor’s/provider’s obligation to maintain the privacy and security of PII provided in accordance with the contract, which shall include the purposes for which the contractor may use such information, how the contractor shall abide by all applicable data protection and security requirements, the duration of the contract and what will happen to the data upon expiration of the contract, if and how an authorized person may challenge the accuracy of data, where the data will be stored, and how the data will be protected using encryption while the data is in motion and is at rest.. Parents/guardians can request information about third party contractors and providers by contacting the District’s Director of Technology, at 914-271-4713 or in writing to the Director of Technology,

Croton-Harmon Union Free School District, 10 Gerstein Street, Croton-on-Hudson, NY 10520, or by email at the email address found on the District's website, www.chufsd.org.

6. In accordance with FERPA, Education Law § 2-d, and Board policy and regulation on student records (Policy 5500 and 5500-R), parent(s)/guardian(s) have the right to inspect and review the complete contents of their child's education record, including but not limited to PII.
7. In accordance with FERPA, Education Law § 2-d, and Board policy and regulation on student records (Policy 5500 and 5500-R), eligible students have the right to inspect and review the complete contents of their own educational record, including but not limited to PII.
8. Federal and State laws, including Section 2-d and FERPA, protect the confidentiality of students' PII. The District shall ensure that safeguards consistent with industry standards and best practices (including but not limited to encryption, firewalls, and password protection) are in place when data is stored or transferred. In this regard, all databases that have student information are protected by a secure password and login. Logins are monitored, and passwords are kept up-to-date.
9. A complete list of all student data elements collected by the State Education Department is available for public review at <http://nysed.gov.data-privacy-security> or by writing to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234.
10. Parents/guardians have the right to submit complaints about possible breaches (e.g., unauthorized access to student data) of student data or teacher or principal APPR data. Any such complaint must be submitted, in writing, to the Superintendent of Schools, Croton-Harmon School District, 10 Gerstein Street, Croton-on-Hudson, NY 10520. Complaints can also be directed to the New York State Education Department on-line at <http://nysed.gov.data-privacy-security>, by mail to the Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany New York 12234, or by email to privacy@mail.nysed.gov or by telephone at 518-474-0937.
11. Parents/guardians 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 or is believed to have occurred.
12. The District shall endeavor to provide educational agency workers who handle PII with annual training on applicable federal and New York State laws and

regulations, educational agency policies, and safeguards for PII which will be in alignment with industry standards and best practices.

13. A parent/guardian, student, teacher or principal may challenge the accuracy of the student data or teacher or principal data that is collected by filing a written request with the Superintendent of Schools, Croton Harmon Union Free School District, 10 Gerstein Street, Croton-on-Hudson, NY 10520.

