



# Understanding Student Data Privacy

## Why Should We Be Concerned?

The growing market for educational technology has increased the amount of student information that is shared and tracked online. While some digital resources are valuable tools to support teaching and learning, others may place student data at risk for identity theft, sale of personal information, or exploitation of online behavior for marketing and profit.

The risk to privacy and safety of student information has even prompted an official [statement from the FBI](#) to raise public awareness of the potential for student data to be stolen or misused for identity theft, social engineering, tracking, or other means for targeting children.

In response to this emerging national concern, several states have adopted data privacy laws that extend existing protections under FERPA and COPPA to further defend the security and privacy of student data and personal information. In New York State, [Education Law §2-d](#) and [8 NYCRR Part 121](#) have been enacted to protect student data privacy.

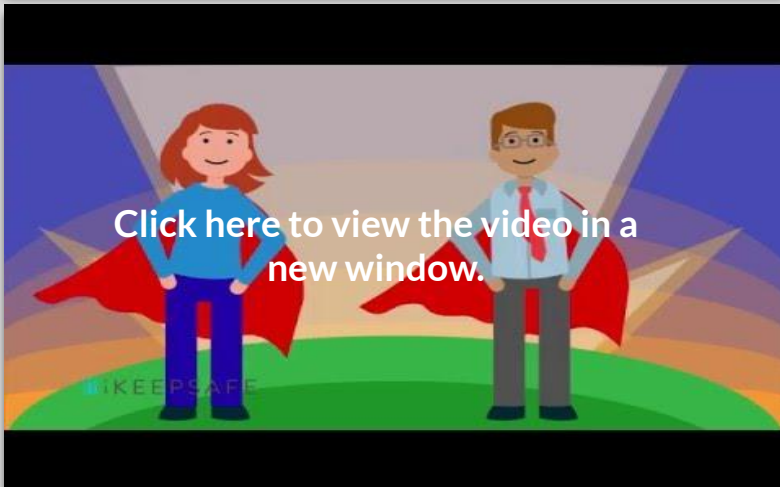


## How Has the Law Changed?

Due to recent changes in NYS law and regulation, all educational applications and online resources that collect student information must comply with certain standards for data privacy and security.

In order to use digital resources, the school district must establish a written agreement with any provider that may receive student data. This applies to both paid and free services and includes any app, website, curriculum resource, or online service that may collect student names or other personal information. The district must also provide parents with specific information about any digital resource that may collect student data.

Educators may not register for or use any application or online service that requires the sharing of student names, email addresses, ID numbers, or other information that may disclose the identity of the student, unless the district has an established contract or written agreement that meets the requirements of the law.



## Which digital resources may be used?

We have established agreements with providers who have signed their assurance to protect the confidentiality and security of student information that may be collected. Please refer to the list of [Approved Digital Resources](#) which will be updated periodically as additional agreements are obtained.

Some digital resources do not collect student information and may be used without a data privacy agreement. Parents should contact their child's teacher for more information about other digital resources that may be used in the classroom..

Educators seeking to use a resource that does not appear on this list should contact an academic coordinator for assistance.