

**PATCHOGUE-MEDFORD SCHOOLS  
241 SOUTH OCEAN  
AVENUE PATCHOGUE,  
NEW YORK 11772**

**PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY**

The Patchogue-Medford School District 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 an official of another school district in which a student seeks to, or intends to enroll, or is actually enrolled.

Personally identifiable information 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 Patchogue-Medford School District, 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 law.

## Parents' Bill of Rights for Data Privacy and Security (Continued)

The Patchogue-Medford School District 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 Law.
- 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 student PII information for commercial purposes.
- Parents have the right to inspect and review the complete contents of their child's education record (for more information about how to exercise this right, see 5500-R).
- State and federal laws, such as NYS Education Law §2-d and the Family Educational Rights and Privacy Act, protect the confidentiality of students' PII. 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 <http://www.p12.nysed.gov/irs/sirs> or 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's data addressed. Complaints should be directed to: The District Data Privacy Officer, 241 S. Ocean Avenue, Patchogue, New York (the bullet below needs to be moved up to this line) 11772 or 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 12234 or by email to [privacy@mail.nysed.gov](mailto:privacy@mail.nysed.gov) or by telephone at (518) 474-0937.
- Parents have the right to be notified in accordance to applicable laws and regulations if a breach or unauthorized release of their student's PII occurs.
- Parents can expect that educational agency workers who handle student PII will receive annual training on applicable federal and state laws, regulations, educational agency's policies and safeguards which will be in alignment with industry standards and best practices to protect PII.

### **Supplemental Information Regarding Third-Party Contractors:**

In the course of complying with its obligations under the law and providing educational services, Patchogue-Medford 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:

**Parents' Bill of Rights for Data Privacy and Security (Continued)**

1. The exclusive purposes for which the student data or teacher or principal data will be used;
2. How the third party contractor will ensure that the subcontractors, persons or entities that the third party contractor will share the student data or teacher or principal data with, if any, will abide by data protection and security requirements;
3. When the agreement expires and what happens to the student data or teacher principal data upon expiration of the agreement;
4. 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; and
5. 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.

**Third Party Contractors are required to:**

1. 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;
2. Limit internal access to education records to those individuals who have a legitimate educational interest in such records.
3. Not use educational records for any other purpose than those explicitly authorized in the contract;
4. Not disclose student PII to any other party (i) without the prior written consent of the parent or eligible student; or (ii) unless required by statute or court order and the third-party contractor provides a notice of the 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 the disclosure is expressly prohibited by the statute or court order;
5. Maintain reasonable administrative, technical and physical safeguards to protect the security, confidentiality and integrity of student PII in its custody;
6. Use encryption technology to protect data while in motion or in its custody from unauthorized disclosure as specified in Education Law §2-d;

**Parents' Bill of Rights for Data Privacy and Security (Continued)**

7. Notify Patchogue-Medford School District 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;
8. 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;
9. Provide a signed copy of this Bill of Rights to the Patchogue-Medford School District 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.

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Reviewed:

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