

## **Children's Home of Wyoming Conference Parents' Bill of Rights for Educational Data Privacy and Security**

Under federal and state law, parents (including legal guardians or persons in parental relationships) and eligible students (18 years and older) have the following rights with respect to educational data privacy and security:

1. The right to expect that a student's personally identifiable information (PII) cannot be sold or released for any commercial purpose. PII, as defined by NYS Education Law sec.2-d and the Family Educational Rights and Privacy Act (FERPA), includes direct identifiers such as a student's name or identification number, or a parent's name or address. It also includes indirect identifiers such as a student date of birth, which, when linked to or combined with other information can be used to distinguish or trace a student's identity. Please see FERPA's regulation at 34 CFR 99.3 for a more complete definition.
2. The right to inspect and review the complete contents of the student's education record stored or maintained by Children's Home of Wyoming Conference ("the Agency"). This right may not apply to parents of an eligible student.
3. The right to the protection of confidentiality of a student's identifiable information provided by NYS Education Law 2-d; the Commissioner of Education's Regulations at 8 NYCRR Part 121, FERPA at 12 U.S.C. 1232g (34 CFR Part 99); Children's Online Privacy Protection Act (COPPA) at 15 U.S.C. 6501-6502 (16 CFR Part 312); Protection of Pupil Rights Amendment (PPRA) at 20 U.S.C. 1232h (34 CFR Part 98); the Individuals with Disabilities Education Act (IDEA) at 20 U.S.C. 1400 et seq. (34 CFR Part 300).
4. The right to have PII stored or transferred under safeguards associated with industry standards and best practices including but not limited to encryption, firewalls, and password protection.
5. The right to know what student data elements New York State collects for authorized uses. A complete list of all student data elements collected by NYSED is available at [www.nysed.gov/data-privacy-security](http://www.nysed.gov/data-privacy-security), and by writing to the Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany NY 12234, or by email to [privacy@nysed.gov](mailto:privacy@nysed.gov), or by telephone at 518-474-0937.

6. The right to have complaints about possible breaches and unauthorized disclosures of PII addressed. Complaints may be submitted to:  
Jim Hall  
Data Protection Officer  
Children's Home of Wyoming Conference  
1182 Chenango Street  
Binghamton, NY 13901
7. The right to be notified in accordance with applicable laws and regulations if a breach or unauthorized release of PII occurs.
8. The right to have Agency employees that handle PII receive training on applicable state and federal laws, policies, and safeguards associated with industry standards and best practices that protect PII.
9. The right to have any contracts entered into by the Agency with third-party contractors that receive PII address statutory and regulatory data privacy and security requirements.

### **Supplemental Information Regarding Third-party Contractors**

In the course of complying with its obligations under the law and providing educational services, the Agency has entered into agreements with certain third-party contractors. Pursuant to such agreements, third-party contractors may have access to "student data" as that term is defined by law. Each contract the Agency enters into with a third-party contractor, where the third-party contractor receives student data, will include the following information:

- The exclusive purposes for which the student data or teacher or principal data will be used.
- 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.
- When the agreement expires and what happens to the student data or teacher or principal data upon expiration of the agreement.

- If and how a parent, student, or eligible student, may challenge the accuracy of the student data that is collected.
- Where the student 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.