



Parents' Bill of Rights for Data Privacy and Security

Parents (includes legal guardians or persons in parental relationships) and Eligible Students (student 18 years and older) can expect the following:

1. A student's personally identifiable information (PII) cannot be sold or released for any commercial purpose. PII, as defined by Education Law § 2-d and FERPA, includes direct identifiers such as a student's name or identification number, parent's name, or address; and indirect identifiers such as a student's 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 regulations 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 an educational agency. This right may not apply to parents of an Eligible Student.

3. State and federal laws such as Education Law § 2-d; the Commissioner of Education's Regulations at 8 NYCRR Part 121, the Family Educational Rights and Privacy Act ("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); protect the confidentiality of a student's identifiable information.

4. Safeguards associated with industry standards and best practices including but not limited to encryption, firewalls and password protection must be in place when student PII is stored or transferred.

5. A complete list of all student data elements collected by NYSED is available at <http://www.nysed.gov/data-privacy-security/student-data-inventory> and by writing to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234.

6. The right to have complaints about possible breaches and unauthorized disclosures of PII addressed. Complaints may be submitted to NYSED at <http://www.nysed.gov/data-privacy-security/report-improper-disclosure>, by mail to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234; by email to privacy@nysed.gov; or by telephone at 518-474- 0937. Complaints regarding student data breaches can also be directed to: Kristen Foland, Director of Instructional Support Services, Center for Instruction, Technology & Innovation, 179 County Route 64, Mexico NY, 13114. Phone: 315-963-4425 email: kfoland@citiboces.org.

7. To be notified in accordance with applicable laws and regulations if a breach or unauthorized release of PII occurs.

8. Educational agency workers that handle PII will receive training on applicable state and federal laws, policies, and safeguards associated with industry standards and best practices that protect PII.

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Christopher J. Todd, District Superintendent/Executive Officer

9. Educational agency contracts with vendors that receive PII will address statutory and regulatory data privacy and security requirements.

Notification of Rights Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

1. **The right to inspect and review the student’s education records within 45 days of the day that CiTi receives the request for access.** Parents or eligible students should submit to the Center for Instruction, Technology & Innovation (CiTi) Principal or Director of College & Career Education a written request that identifies the record(s) they wish to inspect. The CiTi official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. **The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate.** Parents or eligible students may ask CiTi to amend a record that they believe is inaccurate. They should write the CiTi principal or Director of College & Career Education, clearly identify the part of the record they want changed and specify why it is inaccurate. If CiTi decides not to amend the record as requested by the parent or eligible student, CiTi will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. **The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.**
 - a. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by CiTi as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the CiTi Board; a person or company with whom the CiTi has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student servicing on an official committee, such as a disciplinary or grievance committee, or assisting another CiTi official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
 - b. FERPA also authorizes the release of “directory information” without prior consent, unless the parent/guardian or eligible student (age 18 or older) requests, in writing, that directory information not be disclosed. CiTi considers the following information “directory information”: student’s name, student’s address, telephone number(s) and e-mail address(es), student’s date and place of birth, major field of study, participation in officially recognized activities and sports, student’s weight and height for member of athletic teams, dates of attendance (“from and to” dates of enrollment), student’s achievement awards or honors, date of graduation, student’s grade, and the most recent educational agency or institution attended. Students may be videotaped and/or photographed while engaged in classroom and extracurricular programs, activities and other school functions. Such photos and video images are also considered to be directory information by CiTi. Videotapes and/or photographs may be shared with the public through, for example, public media outlets, CiTi newsletters, reports, website and other CiTi communications, unless the parent/guardian or eligible student requests, in writing, that images of the student not be publicized.

Two federal laws require CiTi to provide military recruiters and institutions of higher education, upon request, with three directory information categories of its secondary students: names, addresses, and telephone numbers, unless parents or eligible students have advised CiTi that they do not want this information disclosed without their prior written consent.

Those parents/guardians or eligible students who do not want directory information released and/or do not want images published and/or do not want the limited release of directory information to military recruiters and/or institutions of higher education, must notify CiTi in writing by October 1st of each school year regarding the desired limitations on release of directory information. Written requests should be sent to:

Marla Berlin, Director of College & Career Education
Center for Instruction, Technology & Innovation
179 County Route 64
Mexico, NY 13114

- c. CiTi, as authorized by FERPA, discloses personally identifiable student information without consent to other schools, school systems or institutions or postsecondary education in which a student seeks or intends to enroll or that are providing services to the student, upon receiving a request from any such institution. Parents/guardians or eligible students can receive a copy of all information disclosed upon request.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Oswego County Board of Cooperative Educational Services to comply with the requirements of FERPA.

The name and address of the Office that administers FERPA is:
Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

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