

# Parent's Bill of Rights for Data Privacy and Security

Education Law Section 2-D (effective July 29, 2014) & PART 121 (effective January 13, 2020)

Berlin Central School District seeks to use current technology, including electronic storage, retrieval, and analysis of information about students' education experience in the district, to enhance the opportunities for learning and to increase the efficiency of our operations. To assist in meeting legal requirements for maintaining the privacy and security of protected student data and protected principal and teacher data, including Section 2-d of the New York State Education Law, DISTRICT has posted this Parents Bill of Rights for Data Privacy and Security.

- (1) A student's personally identifiable information cannot be sold or released for any commercial purposes.
- (2) Parents have the right to inspect and review the complete contents of their child's education record. The procedures for exercising this right can be found in Student Records Policy, No. [Insert Number].
- (3) State and federal laws, such as NYS Education Law §2-d and the Family Educational Rights and Privacy Act, protect the confidentiality of personally identifiable information, and 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.
- (4) A complete list of all student data elements collected by the State is available at [https://www.nysed.gov/sites/default/files/programs/data-privacy-security/inventory-of-data-elements-collected-by-nysed\\_0.pdf](https://www.nysed.gov/sites/default/files/programs/data-privacy-security/inventory-of-data-elements-collected-by-nysed_0.pdf) and a paper copy may be obtained by writing to the Office of Information & Reporting Services, New York State Education Department, Room 863 EBA, 89 Washington Avenue, Albany, New York 12234.
- (5) Parents have the right to have complaints about possible breaches of student data addressed:
  - Parents may make a written report of a possible breach of student data to the DISTRICT Data Protection Officer by email at [krizzo@berlincentral.org](mailto:krizzo@berlincentral.org) or by regular mail at: Berlin MS/HS, P.O. Box 259, Berlin, NY 12022
  - Complaints may also be directed in writing to the Chief Privacy Officer, New York State Education Department, Room 863 EBA, 89 Washington Avenue, Albany, New York 1223 or by submitting a form at: <https://forms.office.com/Pages/ResponsePage.aspx?id=6BbvFeBMw0-S4mp6bI52Xiu3SOTIErdCsyh9u-tAGK5UQ00RiILVjFUMFVWRVVCTEtOMzVOMEVTRCQIQCN0PWcu>.

We are compiling the following information about each agreement between DISTRICT and an outside party that receives protected student data, or protected principal or teacher data, from the district:

- (1) The exclusive purposes for which the data will be used,
- (2) How the contractor will ensure that any subcontractors it uses will abide by data protection and security requirements,
- (3) When the contract expires and what happens to the data at that time,
- (4) If and how an affected party can challenge the accuracy of the data,
- (5) Where the data will be stored, and (6) the security protections taken to ensure the data will be protected, including whether the data will be encrypted.

The links below will take you to that information for the listed agreements. We will be updating this list as we gather additional information.

[Ed Law 2-D Documents for Free Resources](#)

[Supplemental Information Link/District Software List](#)