Penfield Central School District

PARENTS'/GUARDIANS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY

The Penfield Central School District is committed to protecting the privacy and security of student, teacher, and principal data. In accordance with New York Education Law § 2-d, the District wishes to inform the school community of the following:

1) A student's personally identifiable information cannot be sold or released for any commercial purposes. The term “student” refers to any person attending or seeking to enroll in an educational agency, and the term “personally identifiable information” (“PII”) uses the definition provided in FERPA. Under FERPA, personally identifiable information or PII includes, but is not limited to:

   (a) The student’s name.
   (b) The name of the student’s parent/guardian or other family members.
   (c) The address of the student or student’s family.
   (d) A personal identifier, such as the student's social security number, student number, or biometric record.
   (e) Other indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name.
   (f) Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
   (g) Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates. This information may be released as “Directory Information, per Policy #7240

2) Parents/Guardians have the right to inspect and review the complete contents of their child's education record.

3) State and federal laws 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 for public review at the following website: http://www.nysed.gov/common/nysed/files/programs/student-data-privacy/collected-data-elements-1-17-2020.pdf, or by writing to the Office of Information & Reporting Services, New York State Education Department, Room 865 EBA, 89 Washington Avenue, Albany, New York 12234.

Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed in writing to Privacy Complaint, Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, New York 12234. Complaints may also be submitted using the form available at the following website http://www.nysed.gov/data-privacy-security/report-improper-disclosure. Complaints may also be submitted to the District’s Data Protection Officer by writing to: Data Protection Officer, Penfield Central School District, 2590 Atlantic Ave, Penfield, NY 14526.

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In the course of complying with its obligations under the law and providing educational services to District residents, the Penfield Central School District 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," as those terms are defined by law.

Each contract the District enters into with a third-party contractor where the third-party contractor receives student data or teacher, or principal data should include the following information:

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 or principal data upon expiration of the agreement;

4) If and how a parent/guardian, 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.

A complete inventory of approved instructional software and websites used by the district may be found at: https://dpit.riconedpss.org/billofrights/02d9d2af98c045c405fd or via the link on the district’s website.