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PURPOSE OF PARENTS BILL OF RIGHTS

The purpose of the Parents Bill of Rights is to inform parents (which also include legal guardians or persons in parental relation to a student, but generally not the parents of a student who is age eighteen or over) of the legal requirements regarding privacy, security and use of student data. In addition to the federal Family Educational Rights and Privacy Act (FERPA), Education Law §2-d provides important new protections for student data, and new remedies for breaches of the responsibility to maintain the security and confidentiality of such data.

APPLICABILITY

The Westfield Academy and Central Schools Parents Bill of Rights applies to all employees, interns, contractors, vendors and anyone using Westfield Academy and Central School assets. Policies are the organizational mechanism used to manage the confidentiality, integrity and availability issues associated with information assets. Information assets are defined as any information system (hardware or software), data, networks, and components owned or leased by WACS or its designated representatives.

PARENTS BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY

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

- A student’s personally identifiable information cannot be sold or released for any commercial purposes
- Parents have the right to inspect and review the complete contents of their child’s educational records maintained by the Westfield Academy and Central Schools District
- State and Federal Laws protect the confidentiality of personally identifiable student 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
- A complete list of all student data elements collected by New York State is available for review at the following website: [http://www.p12.nysed.gov/irs/sirs/documentation/NYSEDstudentData.xlsx](http://www.p12.nysed.gov/irs/sirs/documentation/NYSEDstudentData.xlsx)

The list may also be made available 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 of student data addressed

Complaints should be directed to:

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<th>Chief Privacy Officer</th>
<th>Chief Privacy Officer</th>
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<tr>
<td>Westfield Academy and Central Schools</td>
<td>New York State Education Department</td>
</tr>
<tr>
<td>203 E. Main Street</td>
<td>89 Washington Avenue</td>
</tr>
<tr>
<td>Westfield, NY 14787</td>
<td>Albany, NY 12234</td>
</tr>
<tr>
<td>Email: <a href="mailto:CPO@westfieldcsd.org">CPO@westfieldcsd.org</a></td>
<td>Email: <a href="mailto:CPO@mail.nysed.gov">CPO@mail.nysed.gov</a></td>
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SUPPLEMENTAL INFORMATION REGARDING THIRD-PARTY CONTRACTORS

In the course of complying with its obligations under the law and providing educational services to District residents, Westfield Academy and 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 with a third-party contractor which will receive student data, or teacher or principal data will include information addressing the following:

- 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 and principal data upon expiration of the agreement
- If and how a parent, student, a student over eighteen years of age, teacher or principal may challenge the accuracy of the student data or teacher or principal data that is collected
- 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 also required to:

- Provide training on federal and state law governing confidentiality to any officers, employees, or assignees who have access to student date or teacher or principal data
- Limit internal access to education records to those individuals who have a legitimate educational interest in such records
- Not use educational records for any other purpose than those explicitly authorized in the contract
- Not disclose personally identifiable information to any other party 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 statute or court order
- Maintain reasonable administrative, technical and physical safeguards to protect the security, confidentiality and integrity of personally identifiable student information in its custody
- Use encryption technology to protect data while in motion or in its custody from unauthorized disclosure as specified in Education Law 2-d
- Notify Westfield Academy and Central School District of any breach of security resulting in an unauthorized release of student data, in the most expedient way possible
- 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

- Provide a signed copy of this Bill of Rights to the Westfield Academy and Central School District thereby acknowledging that they are aware of and agree to abide by this Bill of Rights

The Bill of Rights is subject to change based on regulations of the Commissioner of Education and the New York State Education Department Chief Privacy Officer, as well as emerging guidance documents. Westfield Academy and Central Schools committed to maintaining the privacy and security of student, teacher and principal data that will follow all applicable laws and regulations for the handling and storage of this data in the District and when disclosing or releasing it to others, including, but not limited to, third-party contractors.