

Parents' Bill of Rights for Data Privacy and Security

Several laws and regulations protect the confidentiality of information about your children when that information identifies them. Such information, which includes student-specific data, is known as “personally identifiable information” or “PII.”

The federal laws that protect your child’s PII include the [Family Educational Rights and Privacy Act \(FERPA\)](#), the [Children’s Online Privacy Protection Act \(COPPA\)](#), the [Protection of Pupil Rights Amendment \(PPRA\)](#), and the [Individuals with Disabilities Education Act \(IDEA\)](#). State laws, such as [N.Y. Education Law 2-d](#) and the related regulations of the N.Y. State Commissioner of Education; and the DOE [Chancellor’s Regulation A-820](#) also protect the confidentiality of your child’s PII.

Under New York state law, if you are a parent of a child in the New York City public school district (the DOE), you have the following rights regarding the privacy and security of your child’s PII:

- Your child’s PII cannot be sold or released for any marketing or other commercial purposes.
- If your child is under age 18:
 - You have the right to inspect and review the complete contents of your child’s education records within 45 days of the DOE receiving your request and verifying your identity.
 - You also have the right to request changes to your child’s education records when you believe they are inaccurate, misleading, or violate your child’s privacy.
 - Your rights extend to education records stored by DOE contractors or other outside parties on the DOE’s behalf.
- You have the right to be notified if a breach or unauthorized release of your child’s PII occurs.
- You have the right to make complaints about possible breaches and unauthorized disclosures of your child’s PII and to have such complaints addressed. The DOE must provide you with a response no more than 60 calendar days from when we receive your complaint. If more time is needed, the DOE will provide an explanation to you, along with an approximate date for a response.

How to submit complaints to the NY State Education Department (NYSED):

Online: <http://www.nysed.gov/data-privacysecurity/report-improper-disclosure>

By email: CPO@mail.nysed.gov

By mail:

Chief Privacy Officer
New York State Education Department
89 Washington Avenue, Albany NY 12234

By phone at: 518-474- 0937

How to submit complaints to the DOE:

By email: studentprivacy@schools.nyc.gov

By mail:
Chief Privacy Officer,
Office of the General Counsel Room 308
New York City Department of Education
52 Chambers St, New York, NY 10007

These federal and state laws and regulations also impose requirements on the DOE and certain outside parties to ensure your child's PII remains confidential and secure. For example, the DOE and certain outside parties must adhere to the following:

- Your child's PII will be collected and disclosed only as necessary to achieve educational purposes in accordance with state and federal law.
- Safeguards must be in place to protect your child's PII when it is stored or transferred. These safeguards must meet industry standards and best practices. Examples of such safeguards include encryption, firewalls and password protection.
- Steps must be taken to minimize its collection, processing and transmission of PII.
- DOE staff members and outside parties who handle your child's PII must be trained in applicable laws, policies, and safeguards associated with industry standards and best practices.
- Written agreements with outside parties who receive your child's PII from the DOE must address legal requirements with respect to the privacy and security of your child's PII.
- Outside parties should not maintain copies of your child's PII once it is no longer needed for the educational purpose for which the DOE has disclosed it to the outside party. PII should be permanently and securely deleted no later than when the contract ends.

You can find [a complete list of all of the types of student data](#) that the New York State Education Department collects. You may also obtain a copy of this list by writing to the Office of Information & Reporting Services, New York State Education Department, Room 863 EBA, 89 Washington Avenue, Albany, NY 12234.