

**YONKERS PUBLIC SCHOOLS**  
**PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY**

The Yonkers City School District is dedicated and committed to protecting the privacy and security of student, teacher, and principal data. The District, in recognition of the risk of identity theft and unwarranted invasion of privacy, affirms its commitment to safeguarding student personally identifiable information (PII) in educational records from unauthorized access or disclosure in accordance with both state and federal law. New York State Education Law §2-d and the Family Educational Rights and Privacy Act (FERPA) protect the confidentiality of PII. In accordance with these laws, the District hereby sets forth the following Parents' Bill of Rights for Data Privacy and Security, which is applicable to all students and their parents, legal guardians, and/or persons in parental relation.

1. Student PII will be collected and disclosed only as necessary to achieve educational purposes in accordance with state and federal law.
2. A student's PII cannot be sold or released for any marketing or commercial purposes by the District or any third party contractor. The District will not sell student PII and will not release it for marketing or commercial purposes, other than directory information released by the District in accordance with District policy.
3. Parents have the right to inspect and review the complete contents of their child's education record.
4. State and federal laws, such as New York State Education Law §2-d and the Family Educational Rights and Privacy Act, protect the confidentiality of students' PII. Safeguards associated with industry standard and best practices, including, but not limited to, encryption, firewalls, and password protection, must be in place when data is stored or transferred.
5. A complete list of all student data elements collected by the New York State Education Department (NYSED) is available for public review at <http://www.nysed.gov/data-privacy-security/student-data-inventory> or by writing to Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, EB 152, Albany, New York 12234.
6. Parents have the right to file complaints about possible breaches and unauthorized disclosures of student data. Complaints should be directed to the Data Protection Officer, Yonkers Public Schools, One Larkin Center, Yonkers, NY 10701 or by email to [BORComplaints@yonkerspublicschools.org](mailto:BORComplaints@yonkerspublicschools.org).  
  
Complaints can also be directed to the New York State Education Department online at <http://www.nysed.gov/data-privacy-security>, by mail to the Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, EB 152, Albany, New York 12234, by email to [privacy@nysed.gov](mailto:privacy@nysed.gov), or by telephone at (518) 474-0937.
7. Parents have the right to be notified in accordance with applicable laws and regulations if a breach or unauthorized release of their child's PII occurs.

8. Parents can expect that educational agency workers who handle PII will receive annual training on applicable federal and state laws, regulations, educational agency's policies, and safeguards which will be in alignment with industry standards and best practices to protect PII.
9. In the event that the District engages a third party provider to deliver student educational services, the contractor and any subcontractor(s) will be obligated to adhere to state and federal laws regarding the safeguarding of student PII. Parents can request information about the District's third party contractors by contacting the Data Protection Officer by mail at Yonkers Public Schools, One Larkin Center, Yonkers, NY 10701 or by email to [BORComplaints@yonkerspublicschools.org](mailto:BORComplaints@yonkerspublicschools.org).
10. For purposes of further ensuring confidentiality and security of student data, in addition to the Parents' Bill of Rights, each contract the District enters into with a third-party contractor shall include supplemental information regarding the data to be shared.

The Yonkers Public Schools Parents' Bill of Rights for Data Privacy and Security reflects information available as of this document's creation and is subject to revision in accordance with further guidance received, including guidance from the New York State Education Department. Additional information is available on the New York State Education Department website at <http://www.nysed.gov/data-privacy-security/bill-rights-data-privacy-and-security-parents-bill-rights>.

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APPENDIX**

**THIRD PARTY CONTRACTOR SUPPLEMENT**

In the course of complying with its obligations under the law and providing educational services to District residents, the Yonkers City School District has entered into and will enter into agreements with certain third-party contractors. Pursuant to such agreements, third-party contractors may have access to student data, personally identifiable information (PII), and/or teacher/principal data as those terms are defined by state and/or federal law.

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

1. a copy and acknowledgment that the third party-contractor is in receipt of the Parents' Bill of Rights for Data Privacy and Security in accordance with New York Education Law § 2-d;
2. acknowledgment that the third-party contractor will comply with all applicable federal, state, and/or local laws/regulations; and
3. a signed and binding data sharing agreement that covers:
  - a. the exclusive purposes for which the student, teacher, and/or principal data will be used;
  - b. how the third-party contractor will ensure that the subcontractors, persons, or entities that the third-party contractor will share the student, teacher, and/or principal data with, if any, will abide by data protection and security requirements;
  - c. when the agreement expires and what happens to the student, teacher, and/or principal data upon expiration (the data will either be destroyed or returned to the District);
  - d. if and how a parent, guardian, person in parental relation, student, eligible student, teacher, or principal may challenge the accuracy of the student, teacher, and/or principal data that is collected;
  - e. where the student, teacher, and/or principal data will be stored, and the security protections taken to ensure such data will be protected and privacy risks mitigated; and
  - f. how the data will be protected using encryption.

Adoption date: June 17, 2020