



## Parents' Bill of Rights for Data Privacy and Security

New York City Public Schools (NYCPS) takes the privacy of information about you and your children seriously. Several federal and state laws and regulations protect the privacy of your children's education records and personally identifiable information, or "PII."

There are several federal laws that protect your child's PII, including 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 \(IDEA\)](#).

[New York State Education Law 2-d](#) is a state law that protects the privacy of your child's information and places responsibilities on NYCPS and outside parties who receive your child's information from NYCPS. [Chancellor's Regulation A-820](#) is a local regulation that outlines your rights and NYCPS's responsibilities for keeping student education records confidential.

Under these laws and regulations, parents and students who are 18 years and older have the following rights regarding education records and PII. These rights apply to education records and information stored by NYCPS and by outside organizations that receive your child's information from NYCPS:

- **The right to have your child's information safeguarded from being sold or used for any commercial or marketing purposes.**

NYCPS and outside organizations who receive your child's information from NYCPS may not sell or use your child's information for commercial, marketing or advertising purposes.

- **The right to inspect and review your child's education records within 45 days.**

You should submit a written request (student records request forms are available [online](#)) for education records to the principal. Upon verifying your identity and authorization to receive the requested records, NYCPS will either provide a copy of the requested records or arrange a time and place for you to review them.

- **The right to request changes to your child's education records when you believe they are inaccurate, misleading, or violate your child's privacy rights.**

You should submit a written request to amend records in writing (email is acceptable) to the principal describing the records you want changed, why you believe the information is currently inaccurate, misleading, or violates the student's privacy rights, and your proposed changes. If NYCPS decides not to amend the education records as requested, you will receive information about how to appeal the decision and request a hearing.

- **The right to require written consent before PII in your child's education records is disclosed.**

In some cases, however, the law allows disclosure without parental consent. For information about these exceptions, visit: <https://www.schools.nyc.gov/about-us/policies/data-privacy-and-security-policies>.

- **The right to have your child's information protected when it is in transit and when it is stored.**

NYCPS and outside parties who receive your child's information must use safeguards, such as encryption, firewalls, and password protection, to protect the data. The safeguards must meet industry standards, including the National Institute for Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity Version 2.0

- **The right to be notified of a breach or unauthorized disclosure of your child's PII.**

NYCPS will notify you within 60 days after we discover the breach or unauthorized disclosure of your child's information, unless doing so interferes with a law enforcement investigation.

- **The right to file a complaint about possible breaches and unauthorized disclosures of your child's PII with NYCPS and the New York State Education Department.**

If you file a complaint with NYCPS, we will provide you with a response no more than 60 days after we receive it. If we need more than 60 days to respond, we will provide you with an explanation and an anticipated response date.

Complaints to NYCPS may be made to:

Chief Privacy Officer  
New York City Department of Education  
52 Chambers Street, Room 308  
New York, NY 10007  
or by email to: [Studentprivacy@schools.nyc.gov](mailto:Studentprivacy@schools.nyc.gov)

Complaints to the New York State Education Department may be made to:

Chief Privacy Officer  
New York State Education Department  
89 Washington Avenue  
Albany, NY 12234  
or by email to: [privacy@nysed.gov](mailto:privacy@nysed.gov)

- **The right to file a complaint with the United States Department of Education if you believe NYCPS failed to comply with FERPA.** Complaints to the US DOE may be made to:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington, DC 20202-8520  
or by email to: [FERPA.Complaints@ed.gov](mailto:FERPA.Complaints@ed.gov)

- **The right to be notified of your rights on an annual basis.**

In addition, NYCPS promises to:

- Collect and disclose your child's information only as necessary and only for educational purposes or as permitted by law.

- Ensure every use and disclosure of student information benefits NYCPS and students.
- Minimize the collection, processing and transmission of PII.
- Provide annual training to NYCPS staff who have access to your information.
- Maintain written agreements with outside parties who receive your child's PII from NYCPS. The agreement outlines how the outside parties will keep your child's data confidential and secure.
- Post supplemental information about our agreements with outside parties who receive student information from NYCPS. For information about what data an outside party is collecting, their reason for collecting the data, and how they plan to protect the data, visit:  
<https://www.schools.nyc.gov/about-us/policies/data-privacy-and-security-policies/supplemental-information-for-parents-about-doe-agreements-with-outside-entities>.
- Not maintain copies of your child's information when it is no longer needed.

You can find a complete list of all of the types of student data that the New York State Education Department collects at <https://www.nysed.gov/data-privacy-security/student-data-inventory>.