

The Hagedorn Little Village School, Jack Joel Center for Special Children Parents' Bill of Rights

In accordance with Common Core Implementation Reform Act, Education Law §2-d, The Hagedorn Little Village School, *Jack Joel Center for Special Children* (HLVS) is required to develop a Parents' Bill of Rights for data privacy & security of all educational records. HLVS collects and maintains certain Personally Identifiable Information (PII) in the educational records of all of students in our Early Intervention, Preschool and Elementary School programs. The HLVS Parents' Bill of Rights is included in our Parent and Child Handbook, is posted on our website (www.littlevillage.org) and is provided to all HLVS employees.

The purpose of this Bill of Rights is to inform the parents and legal guardians of all students enrolled at HLVS of the legal requirements regarding privacy, security and use of student data. The laws that govern this Parents' Bill of Rights include the federal Family Education Rights and Privacy Act (FERPA), Personal Privacy Protection Law (PPPL) and the Education Law §2-d.

A. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) provides certain rights for parents regarding their children's education records. FERPA gives these rights to custodial and noncustodial parents alike, unless there is a court order, legally binding document, or state law that specifically provides to the contrary. When a student reaches 18 years of age or attends an institution of postsecondary education at any age, he or she becomes an "eligible student," and all rights under FERPA transfer from the parent to the student.

The rights of parents under FERPA are summarized in the Model Notification of Rights prepared by the United States Department of Education. It can be accessed at:
<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>.

Parents' rights under FERPA include:

1. The right to inspect and review the student's education records within 45 days after the day the school or school district receives a request for access.
2. The right to request amendment of the student's education records that the parent believes are inaccurate, misleading, or otherwise in violation of FERPA.
 - Once a request for an amendment has been submitted, the parent/guardian will receive a response within 10 days whether:
 - The change has been made as requested, OR:
 - Your child's record has not been changed, as after careful review of the information, HLVS staff and administration deems the information to be accurate. A copy of your request will become part of your child's permanent record.
3. The right to provide written consent before the school discloses Personally Identifiable Information from the student's education records.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. Parents who believe that their FERPA rights may have been violated may file a complaint with HLVS at: <https://studentprivacy.ed.gov/file-a-complaint>.

For more information regarding FERPA and other student privacy issues, please visit <https://studentprivacy.ed.gov>.

B. The rights of parents and guardians under the **Personal Privacy Protection Law (PPPL), Article 6-A of the Public Officers Law** relating to records held by state agencies can be accessed at <https://opengovernment.ny.gov/what-you-should-know-nys-personal-privacy-protection-law-pppl>.

C. Parents' rights under **Education Law §2-d** relate to unauthorized release of Personally Identifiable Information that are contained in student records of The Hagedorn Little Village School. Personally Identifiable Information includes, but is not limited to:

1. The student's name;
2. The name(s) of the student's parent or other family members;
3. The address of the student or student's family;
4. A personal identifier, such as the student's social security number, student number, or biometric record;
5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
6. 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
7. Information requested by a person who the educational agency or institution reasonably knows the identity of the student to whom the education record relates.

Parents' Rights under this law include:

1. A student's Personally Identifiable Information cannot be sold or released for any commercial or marketing purpose.
2. Parents have the right to inspect and review the complete contents of their child's education record.
3. Procedures must be in place to protect student data. HLVS has the following safeguards in place to protect student data:
 - All data bases that contain student information are protected by secure password and login;
 - Student information is only accessible by approved personnel.
 - All paper files are stored in locked and monitored file cabinets.

HLVS has compliance documents and specific confidentiality policies and procedures required to be followed by all staff.

Education Law §2-d also limits the collection of data:

1. Only PII related to educational purposes will be collected.
2. NYSED may only require HLVS to submit data when it is required by law.
3. HLVS shall not report to NYSED student data regarding juvenile delinquency records, criminal records, medical and health records or student biometric information. Parents may access the NYSED Student Data Elements List, a complete list of all student data elements collected by NYSED, at: <http://www.p12.nysed.gov/irs/sirs/documentation/NYSEDstudentData.xlsx> , or obtain a copy of this list by writing:

The Office of Information & Reporting Services
New York State Education Department, Room 863
89 Washington Avenue
Albany, NY 12234

Complaints regarding possible breach of student data should be directed in writing to:

- NY State Education Department Chief Privacy Officer
New York State Education Department
89 Washington Avenue
Albany, NY 12234
- Emailed to: CPO@mail.nysed.gov
- HLVS Compliance Officer
750 Hicksville Rd.
Seaford, NY 11783

For more information regarding the laws that govern this Parents' Bill of Rights please reference the publication at the following website:

<https://www.nysed.gov/data-privacy-security/federal-laws-protect-student-data>

Additional information regarding confidentiality can be found in the Parent/Student Handbook under "Confidentiality".