



PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY

The purpose of this Bill of Rights is to inform the parents and legal guardians of all students enrolled at Variety Child Learning Center (VCLC) of the legal requirements regarding privacy, security, and use of student data.

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.
 - a. Once a request for an amendment has been submitted, the parent 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, VCLC staff and administration deem 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 VCLC 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. Parents' rights under NYCRR Title10: Section69-4.17 affords the opportunity to review and inspect all the records pertaining to the child and the child's family that are collected, maintained, or used for the purposes of the Early Intervention Program, unless the parent is otherwise prohibited such access under State or federal law.

The opportunity to review and inspect the record includes the right to:

1. Receive an explanation about and/or interpretations of the record upon the parent's request.
2. Obtain a copy of the record within ten calendar days of the receipt of the request by the early intervention official or approved evaluator, service provider, or service coordinator.
3. Obtain a copy of the record within five working days if the request is made as part of a mediation or impartial hearing.
4. Have a representative of the parent view the record.

C. Parents' rights under **Education Law §2-d and NYCRR Part 121** relate to unauthorized release of Personally Identifiable Information (PII) that are contained in student records of Variety Child Learning Center.

Parents' Rights under this law include:

1. A student's PII 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. The confidentiality of a student's personally identifiable information is protected by existing state and federal laws, and safeguards such as encryption, firewalls, and password protection, must be in place when data is stored or transferred. Third party contractors are required to employ technology, safeguards and practices that align with the National Institute of Standards and Technology Cybersecurity Framework.

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 VCLC to submit data when it is required by law.
3. VCLC 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, or obtain a copy of this list by writing:
 - Chief Privacy Officer
New York State Education Department
89 Washington Avenue
Albany, NY 12234
Email: privacy@nysed.gov
4. Parents have the right to file complaints about possible breaches of student data. VCLC shall promptly acknowledge any complaints received and commence an investigation into the complaint, while taking the necessary precautions to protect personally identifiable information. VCLC shall provide a response detailing its findings from the investigation no more than sixty (60) days after receipt of the complaint. Complaints about possible breaches of student data should be directed in writing to:

- VCLC Compliance and Data Protection Officer
47 Humphrey Drive
Syosset, NY 11791
Email: compliance@vclc.org

Complaints pertaining to the State Education Department or one of its third party vendors should be directed in writing to:

- Chief Privacy Officer
New York State Education Department 89 Washington Avenue
Albany, NY 12234
Email: privacy@nysed.gov
5. In the event of a data breach or unauthorized disclosure of students' personally identifiable information, third party contractors are required by law to notify VCLC within seven (7) days of discovery of the breach or unauthorized disclosure.
 6. If VCLC enters into a contract with a third party in which student, teacher, or principal data is shared with a third party, supplemental information for each such contract will be appended to this Parents' Bill of Rights.
 7. Parents may access the State Education Department's Parents' Bill of Rights at: [Education Law§2-D Bill Of Rights For Data Privacy And Security \(NYSED.gov\)](#)

D. Parents and guardians have rights under the [Personal Privacy Protection Law \(PPPL\), Article 6-A of the Public Officers Law](#) relating to records held by state agencies.

For more information regarding the laws, Protection of Pupil Rights Amendment (PPRA) and Children's Online Privacy Protection Act (COPPA) that govern this Parents' Bill of Rights please reference the publication at the following website: [NYSED Federal Laws that Protect Student Data.](#)