



Highland Falls-Fort Montgomery Central School District

Dr. Andrea Tejedor

Assistant Superintendent for Curriculum, Instruction & Technology

845-446-9575 x-1400

andrea.tejedor@hffmcsd.org

Privacy and Security Practices

These Privacy & Security Practices (“Practices”) are incorporated into the **STATE AGREEMENT** dated _____ (“Contract”), together, the “Agreement”. In the event of a conflict between these Practices and the Contract, the terms of the Practices will prevail.

- **PROVIDER** agrees to limit internal access to education records to those individuals that are determined to have legitimate educational interests.
- **PROVIDER** agrees not to use education records for any other purposes than those explicitly authorized in this Contract.
- Except for authorized representatives of **PROVIDER**, to the extent they are carrying out the Contract **PROVIDER** agrees not to disclose any personally identifiable information to any other party: a) without the prior written consent of the parent or eligible student; or b) unless requested by statute or court order and the party provides notice to the Highland Falls-Fort Montgomery Central School District that the information was disclosed, unless such disclosure is expressly prohibited by statute or court order.
- **PROVIDER** agrees to maintain reasonable administrative, technical and physical safeguards to protect the security, confidentiality and integrity of personally identifiable student information in its custody.
- **PROVIDER** shall notify the Highland Falls-Fort Montgomery Central School District of any breach of security resulting in an unauthorized release of such data in violation of the law or this agreement in the most expedient way possible and without unreasonable delay.
- **PROVIDER** agrees to comply with additional rules and regulations with respect to the confidentiality of education records, to the extent promulgated by the Commissioner of Education of the New York State Education Department or as specified under Section 2-d of the New York Education Law.
- A copy of the Parents’ Bill of Rights for Data Privacy and Security,³ as promulgated by the Commissioner of Education of the New York State Education Department, is annexed hereto as Appendix “B” and incorporated by reference into this Agreement.

Signature _____ Print Name _____

Title/Organization _____ Date _____



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Appendix B

PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY OF HIGHLAND FALLS-FORT MONTGOMERY CENTRAL SCHOOL DISTRICT

PARENTS' BILL OF RIGHTS FOR DATA SECURITY AND PRIVACY

The Highland Falls-Fort Montgomery Central School District hereby sets forth the following Parents' Bill of Rights for Data Privacy and Security, which is applicable to all students and their parents and legal guardians.

A student's personally identifiable information cannot be sold or released for any commercial purposes.

Parents have the right to inspect and review the complete contents of their child's education record.

Safeguards associated with industry standards and best practice under state and federal laws protecting the confidentiality of personally identifiable information, including but not limited to, encryption, firewalls, and password protection, must be in place when data is stored or transferred

A complete list of all student data elements collected by the State is available for public review at <http://www.p12.nysed.gov/irs/sirs/documentation/NYSEDstudentData.xlsx>, or may 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;

and

parents have the right to submit complaints about possible breaches (e.g., unauthorized access to student data) of student data or teacher or principal APPR data. Any such complaint must be submitted, in writing, to the:

Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany NY 12234, email to CPO@mail.nysed.gov.