

## Guidance for schools on Parents' Bill of Rights Implementation

Educational agencies are required to protect student data in accordance with numerous privacy laws, particularly the Family Education Rights Privacy Act (FERPA) and New York's Education Law § 2-d. Education Law § 2-d requires that educational agencies publish a Parents' Bill of Rights (PBR) (see [Education Law § 2-d](#) (PBR)).

3) Protection of PII:

5) Inventory of Data Elements collected by the State:

The PBOR must tell parents how to obtain a list of all data elements collected by the State.<sup>viii</sup>

- <https://www.nysed.gov/data-privacy-security/student-data-inventory>
- Or by writing to:  
Chief Privacy Officer  
New York State Education Department, Room 152 EB  
89 Washington Avenue  
Albany, New York 12234  
[Privacy@nysed.gov](mailto:Privacy@nysed.gov)
- The State Education Department provides the date on which the list was last updated.

6) Annual Notice of Parents' rights:

The PBOR states that parents must be notified annually of their rights to inspect and review their child's education records stored by their educational agency.<sup>ix</sup>

- The educational agency's FERPA notification satisfies this requirement.  
Two separate notices (one for FERPA and one for Education Law § 2-d) are not required.  
Schools may maintain their annual FERPA notification on their website but are still

8) Contracts:

a) Data Minimization

Educational Agencies are *required* to take steps to minimize their collection, processing and transmission of PII and therefore must limit third party contractor access to PII to those who need access to provide contracted services. Only the specific data elements that are *necessary* for those services will be shared with