

PART 121 WEBSITE CHECK

Education Law 2-d and Part 121 of the Commissioner's Regulations outline requirements for school districts and BOCES related to the protection of personally identifiable information (PII). The following elements are required or recommended to be on your district's website.

WEBSITE REQUIREMENTS

PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY



Develop and post, on the agency's website, a Parents' Bill of Rights with supplemental information about each agreement with a third-party contractor where the contractor receives protected data

- ☐ The Parents' Bill of Rights is Posted on the Website
- ☐ The Bill of Rights Includes District Contact Information and NYSED Contact Information for Directing Complaints about Breaches
- ☐ The Bill of Rights Includes Supplemental Information for Each Third-Party Contract Where the Contractor Receives Protected Data

The **RIC** One System Inventory tool can help address the requirement related to supplemental information.

DATA SECURITY AND PRIVACY POLICY



Adopt and post a Data Security and Privacy Policy that includes adherence to the NIST Cybersecurity Framework to protect PII

- ☐ The District's Board Adopted Policy is Posted on the Website

The Board of Regents adopted emergency regulations on June 8, 2020. The regulations extended the date for the adoption and publishing of data security and privacy policies on the district's website from July 1, 2020 until October 1, 2020.

WEBSITE RECOMMENDATIONS

OPTIONAL RECOMMENDED WEBSITE CONSIDERATIONS



Effective communication about data privacy and security practices builds community confidence.

- ☐ Agencies Must Communicate Procedures for Filing Breach and Unauthorized Disclosure Complaints to Parents, Eligible Students, Teachers, Principals, or Other Staff. In Addition to the Contact Information Requirement Noted Under the Bill of Rights, Districts Should Consider Posting Procedures and Forms.
- ☐ The Parents' Bill of Rights and Supplemental Information Include FERPA References. Consider Including Other Information About the FERPA Policy.
- ☐ Contracts Must Include the Third-Party Contractor's Data Security and Privacy Plan. Although Not Required, Some Districts are Posting Plans with the Required Supplemental Information. If Posting this Information, Make Sure Appropriate Redaction Occurs to Safeguard the Agency's Data and/or Technology Infrastructure.
- ☐ Agencies Must Appoint a Data Protection Officer (DPO) to Oversee Implementation of Education Law 2-d Responsibilities. Districts Should Consider Including Information About the DPO on the Website.
- ☐ To Review More Suggestions, Visit: <https://studentprivacy.ed.gov/training/how-use-your-districts-website-communicate-parents-about-data-use-and-security>

