

Student Data Privacy and Protection

- **Education Law 2d**

New York State Department of Education has recently released the adoption of a new law that focuses on the protection and handling of Personal Identifiable Information (PII). This law was passed at the end of January 2020; West Buffalo Charter School has taken measures to ensure we are compliant with this new law. Please find information related to the law in the links below.

[What Parents Need to Know Their Student's Information](#)

[NY State Senate Law](#) (Section 2d)

Important Contact Information

Data Protection Officer

Elizabeth J. Sterns

esterns@westbuffalocharter.org

Student Data Protection

Managing student data safely is a complicated issue that our school district takes very seriously. Here at West Buffalo Charter School we will work diligently to manage this constantly evolving field.

Where is sensitive student data kept?

All sensitive information that we collect on students is stored in our student management system (SMS), eSchool. This allows West Buffalo Charter School staff and students to function effectively as a school. This includes the following data: demographics, academics, attendance, disabilities, discipline, health, free and reduced lunch, and transportation. This data is held securely in servers that are protected by state-of-the-art firewalls and disaster recovery procedures. Much of this data is in highly secure servers at the Western New York Regional Information Center (WNYRIC). Some of the data is housed in secure servers inside the district and/or in the cloud.

Is student data shared?

Yes. Student data that is collected and secured by the district is shared outside of this protected area in two ways:

1.) Data is shared with New York State

New York State requires that we share some of student and staff data with NYSED for a variety of reasons. Our District Data Coordinator carefully maps the data that is requested to the corresponding fields in our secure databases and pushes that data to the NYS Data Warehouse. This process is overseen and “certified” by the School Leader. The data pushed to the Data Warehouse is maintained

securely ([details of security protocol](#)). The exact data fields requested by NYSED change periodically. [NYS publishes a list of the fields being pushed to the NYS Data Warehouse.](#)

2.) Data is shared with approved third-party vendors

There are many software applications that require the input of limited student data in order function effectively. When we share student data with a third-party vendor, the following three principles are followed:

1. The vendor/application must be approved by the Data Protection Officer as compliant with [federal](#) and [state](#) privacy laws. The process is as follows:
 - i. Staff members submit the software for approval by the district. Prior to purchase and/or download, it is reviewed by our Director of IT and the Data Privacy Officer.
 - ii. The Data Protection Officer uses multiple sources of information (including the [RIC ONE Data Privacy and Security Service](#); [The Privacy Evaluation Initiative Consortium](#) and [DATAG](#)) to make a judgement as to the level of compliance of the vendor.
 - iii. Software and Apps that are reviewed (or in process of being reviewed)
2. Once a vendor is approved by the district, the district shares the minimal amount of data necessary for the software to function effectively.
3. Any data transferred to a third-party vendor must be transferred through secure networking protocol.

Reporting Required by the NYS Education Department

4. [Inventory of Data Elements Collected by NYSED](#)
 - i. This document lists all of the data elements required by NYS.
 - ii. After consideration and review, the District submits all required elements that apply to the District and uses the NYS templates through WNYRIC which are more categorized.
- [2020-21 SIRS Reporting Timeline](#)
 - i. All data needs to be certified by the Superintendent of Schools.
 - ii. This memo provides reporting requirements and dates of certification.
- [Reporting 2020-21 School Year Data Memo](#)
 - i. This memo highlights revisions and additions of data collection requirements and could be referenced for data collection clarification.
 - ii. The definitions are aligned with Federal reporting requirements.

- [NYS Student Information Repository System \(SIRS\) Manual](#)

Applicable Federal and State Laws that Impact Technology Use and Student Privacy

- Family Educational Rights and Privacy Act (FERPA)

<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

- Children’s Online Privacy Protection Act (COPPA)

<https://www.cccsd.org/ChildrensOnlinePrivacyProtectionRuleCOPPA.aspx>

- Children’s Internet Protection Act (CIPA)

<https://www.fcc.gov/consumers/guides/childrens-internet-protection-act>

- Protection of Pupil Rights Amendment (PPRA)

<https://www2.ed.gov/policy/gen/guid/fpco/ppra/parents.html>

- Individuals with Disabilities in Education Act (IDEA)

<https://sites.ed.gov/idea/>

Additional Resources

- National Center for Educational Services - Privacy Technical Assistance Center (PTAC)

<https://nces.ed.gov/programs/ptac/>

- K12 Cyber Security Resource Center

<https://k12cybersecure.com/>

- K12 Privacy & Security Blueprint

<https://www.k12blueprint.com/toolkits/privacy>

- The National School Board Association

<https://www.nsba.org/>

- Student Data Privacy Pledge

<https://studentprivacypledge.org/>

- NYSED Data Privacy Resources

<http://www.nysed.gov/student-data-privacy>

- New York State Education Department Parents Bill of Rights

<http://www.nysed.gov/common/nysed/files/programs/student-data-privacy/parents-bill-of-rights.pdf>

- NYSED: Data Privacy FAQs

<http://www.nysed.gov/student-data-privacy/students/frequently-asked-questions-about-student-data-privacy>

Complaint Procedure

- Parents, eligible students (students who are at least 18 years of age or attending a post-secondary institution at any age), principals, teachers, and employees of West Buffalo Charter School may file a complaint about improper disclosure of student data and/or protected teacher or principal data.

To file a complaint, please email Elizabeth J. Sterns at esterns@westbuffalocharter.org