

## **EXHIBIT 1**

### **Parents' Bill of Rights for Data Privacy and Security**

In accordance with New York State Education Law Section 2-d, the Nyack Union Free School District (the "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.

- (1) State and federal laws, such as New York State Education Law Section 2-d ("Section 2-d") and the Family Educational Rights and Privacy Act ("FERPA") protect the confidentiality of personally identifiable information. Subject to certain exceptions (See Regulation 5500-R), Section 2-d and FERPA assures the confidentiality of student records with respect to "third parties," and provides parents with the right to consent to disclosures of personally identifiable information contained in their child's education records.
- (2) A student's personally identifiable information cannot be sold or released for any marketing or commercial purposes by the District or any third party contractor.
- (3) Personally identifiable information includes, but is not limited to:
  - i. The student's name;
  - ii. The name of the student's parent or other family members;
  - iii. The address of the student or student's family;
  - iv. A personal identifier, such as the student's social security number, student number, or biometric record;
  - v. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
  - vi. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
  - vii. Information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.
- (4) Personally identifiable student information will be collected and disclosed only as necessary to achieve educational purposes in accordance with state and federal laws.
- (5) In accordance with FERPA, Section 2-d and Nyack Public Schools Board of Education Policy number 5500 "Student Records", parents have the right to inspect and review the

complete contents of their child's education record.

- (6) The District has the following safeguards in place to protect student data, a Fortinet firewall, Intrusion Detection System, AES (Advanced Encryption Standard 256) bit for VPN encryption, SHA (Secure Hashing Algorithm) for VPN message integrity and file and folder security settings to restrict access and passwords protocol, including personally identifiable information stored or transferred by the District.
- (7) New York State, through the New York State Education Department, collects a number of student data elements for authorized uses. A complete list of all student data elements collected by the State is available for public review, at <http://www.nysed.gov/data-privacy-security/student-data-inventory> or may be obtained by writing to the Office of Information & Reporting Services, New York State Education Department, Room 863 EBA, 89 Washington Avenue, Albany, NY 12234.
- (8) Parents have the right to submit complaints about possible breaches and unauthorized disclosures of personally identifiable student data addressed. Any such complaint should be submitted, in writing, to: Nyack Public Schools, Attn: Data Protection Officer, 13A Dickinson Ave, Nyack, NY 10960 or by email to [dnicolosi@nyackschools.org](mailto:dnicolosi@nyackschools.org). Complaints may also be directed to the Chief Privacy Officer of the New York State Education Department online at <http://www.nysed.gov/data-privacy-security/report-improper-disclosure> or by mail to Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany NY 12234, or by email to [Privacy@mail.nysed.gov](mailto:Privacy@mail.nysed.gov).