

Parents' Bill of Rights for Data Privacy and Security

In accordance with New York State Education Law Section 2-d, Castle Software, Inc. (Castle Learning) 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) 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. Section 2-d and FERPA assures the confidentiality of 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. Exceptions to this include school employees, officials and certain State and Federal officials who have a legitimate educational need to access such records. In addition, the District will, upon request of parents, or adult students, or if otherwise required by law, disclose student records to officials of another school district in which a student seeks to enroll.
- (2) A student's personally identifiable information cannot be sold or released for any commercial purposes;
- (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) In accordance with FERPA, Section 2-d and our Student Records Policy 5500, parents have the right to inspect and review the complete contents of their child's education record;
- (5) Castle Software, Inc. has safeguards in place associated with industry standards and best practices, including but not limited to, encryption, firewalls, and password protection to protect student data, including personally identifiable information stored or transferred by the District.
- (6) 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.p12.nysed.gov/irs/sirs/>.
- (7) Parents have the right to submit complaints about possible breaches of student data or teacher or principal APPR data. Any such complaint must be submitted, in writing, and may be submitted to: Their local school district OR the Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany NY 12234, email to CPO@mail.nysed.gov.

INFORMATION FOR THIRD PARTY CONTRACTOR


Name of Vendor/Contractor/Company: _Castle Software Inc. (Castle Learning)

Address: 50 Countryside Lane, Depew, NY 14043

Phone #: 1-800-345-7606

Name of person completing this form: Scott Fischer

Title of person completing this form: President

Signature of person completing this form:  _____

Date: 7/1/19

- a) The student data, or teacher or principal data collected will be used for: [*Class management and student assessment for academic progress in the core subjects.*]
- b) This contractor is prohibited from further sharing any student data to subcontractors, research institutions, persons or entities that are not directly an employee or department/office within this contractor's organization, unless written consent is included with any contract. This includes sharing of any database, spreadsheet, word processing, csv, html or text files or providing credentials to access the data via the contracted software. This does not pertain to the actual storage of the data on physical hard drives or solid state drives of a data center.
- c) Absent renewal, this agreement expires annually on June 30. If the District/BOCES does not renew the contract past June 30th of the contractual year, all student data shall be deleted (within 90 days) in accordance with the National Institute of Standards and Technology (NIST) standard 800-88.
- d) A parent or eligible student has the right to submit concerns or challenges to the accuracy of student data by submitting in writing, to: Their local school district or the Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany NY 12234, email to CPO@mail.nysed.gov.
- e) Student data shall be stored in a secure data center using monitoring of the access doors, fire and security monitoring, system health and intrusion monitoring, data backups and retentions. Data storage and access shall comply with the Advanced Encryption Standard (AES) with minimums of 128 bit key encryption or better.