

APPLE/Apple Tree
Queens Centers for Progress
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Parents' Bill of Rights for Data Privacy and Security

The Family Educational Rights and Privacy Act (FERPA) gives certain rights with respect to your child's education records. These rights are:

1. The right to inspect and review your child's records within 45 days after the day that Queens Centers for Progress receives a request for access. Parents should submit to Cindy Heller, Director of Children's Services a written request that identifies the records they wish to inspect. A school official will make arrangements for access and notify the parent of the time and place where the records may be inspected.
2. The right to request the amendment of your child's education records that the parent believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents who wish to ask QCP to amend a record should write Cindy Heller, clearly identify the part of the record they want changed, and specify why it should be changed. If QCP decides not to amend the record as requested by the parent, the school will notify the parent of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent when notified of the right to a hearing.
3. The right to provide written consent before QCP discloses personally identifiable information from your child's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by QCP as an administrator, supervisor, therapist, teacher, social worker, social worker assistant, nurse, physician, psychologist, secretary, billing staff. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility necessary for the provision of appropriate care or success in school of your child. Also, upon request, QCP discloses education records without consent to officials of another school district in which your child seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the child's enrollment or transfer.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by QCP to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202.

FERPA permits the disclosure of personally identifiable information from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas and disclosures to the parent, § 99.32 of the FERPA regulations requires QCP to record the disclosure. Parents have a right to inspect and review the record of disclosures. QCP may disclose personally identifiable information from the education records of your child without obtaining prior written consent of the parents:

- To other school officials within QCP whom the school has determined to have legitimate educational interests. This includes an administrator, supervisor, therapist, teacher, social worker, social worker assistant, nurse, physician, psychologist, secretary and billing staff, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met.
- To officials of another school or school system where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§ 99.31(a)(3) and 99.35)
- To comply with a judicial order or lawfully issued subpoena. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))

QCP will never sell or release your child's personally identifiable information for any purpose, including commercial or marketing, or collect and release this information except for the situations listed above without the parents' consent.

Please note: If you would like to review a complete copy of QCP's confidentiality policy, please contact Cindy Heller.