



United Federation of Teachers
A Union of Professionals

November 5, 2024

Chancellor Melissa Aviles-Ramos
Schools Chancellor
New York City Public Schools
52 Chambers St, New York, NY 10007

Re: Student Privacy

Dear Chancellor,

The UFT is concerned that proposed changes to the Chancellor's Regulation A-820 would weaken student privacy protections rather than strengthen them.

Clearly, the DOE's 2009 regulations need to be updated given the explosion of education tech companies and DOE vendors with access to sensitive student data.

The State Legislature acknowledged the existing safeguards for student data were insufficient when they passed state Education Law § 2-d in 2014. The proposed DOE changes, however do not appear aligned with the 2014 law, state regulations, or New York State Department of Education guidance.

We stand with the Parent Coalition for Student Privacy and the more than 3,000 parents and teachers who have demanded the proposed regulations be revamped to provide greater safeguards for student data.

We agree with the Coalition that any personal student data that will be shared requires affirmative parental consent and strict supervision by the NYC DOE to make sure this data is not sold, resold, or used for commercial purposes, as Education Law § 2-d requires.

We also know that any student medical and mental health records maintained by schools should be subject to the protections of both Education Law § 2-d and HIPAA. We are concerned that the proliferation of vendors is weakening existing protections and that the new proposed changes don't adequately address this.

Finally, all the security measures mandated by Education Law § 2-d should be explicitly referenced in the regulations, and the DOE needs to maintain strict oversight to ensure they are adhered to by vendors and any others provided access to the data.

We would be happy to meet with you to discuss these issues further.

Thank you for your consideration.

Sincerely,

Michael Mulgrew
President
United Federation of Teachers

Cc: Dennis Doyle, DOE Chief Privacy Officer
Leonie Haimson, Parent Coalition for Student Privacy
Dan Weisberg, First Deputy Chancellor

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