

EXHIBIT "E"
GENERAL OFFER OF PRIVACY TERMS

1. Offer of Terms

Provider offers the same privacy protections found in this DPA between it and
Chico Unified School District

("Originating LEA") which is dated **May 17, 2022**, to any other LEA ("Subscribing LEA") who accepts this General Offer of Privacy Terms ("General Offer") through its signature below. This General Offer shall extend only to privacy protections, and Provider's signature shall not necessarily bind Provider to other terms, such as price, term, or schedule of services, or to any other provision not addressed in this DPA. The Provider and the Subscribing LEA may also agree to change the data provided by Subscribing LEA to the Provider to suit the unique needs of the Subscribing LEA. The Provider may withdraw the General Offer in the event of: (1) a material change in the applicable privacy statutes; (2) a material change in the services and products listed in the originating Service Agreement; or three (3) years after the date of Provider's signature to this Form. Subscribing LEAs should send the signed **Exhibit "E"** to Provider at the following email address:

sales@explorelearning.com

PROVIDER: ExploreLearning, LLC

BY: Julia Given Date: 05-18-2022

Printed Name: Julia M. Given Title/Position: VP Finance

2. Subscribing LEA

A Subscribing LEA, by signing a separate Service Agreement with Provider, and by its signature below, accepts the General Offer of Privacy Terms. The Subscribing LEA and the Provider shall therefore be bound by the same terms of this DPA for the term of the DPA between the **Chico Unified School District** and the Provider. ****PRIOR TO ITS EFFECTIVENESS, SUBSCRIBING LEA MUST DELIVER NOTICE OF ACCEPTANCE TO PROVIDER PURSUANT TO ARTICLE VII, SECTION 5. ****

LEA: OAK GROVE SCHOOL DISTRICT

BY: Najeeb Qasimi Date: 10/19/2022

Printed Name: NAJEEB QASIMI Title/Position: DIRECTOR OF IT

SCHOOL DISTRICT NAME: OAK GROVE SCHOOL DISTRICT

DESIGNATED REPRESENTATIVE OF LEA:

Name: NAJEEB QASIMI

Title: DIRECTOR OF IT

Address: 6578 - SANTA TERESA BLVD., SAN JOSE, CA 95119

Telephone Number: (408) 227-8300

Email: NQASIMI@OGSD.NET

EXHIBIT “G”

Supplemental SDPC State Terms for California

Version 1.0

This Amendment for SDPC State Terms for California (“**Amendment**”) is entered into on the date of full execution (the “**Effective Date**”) and is incorporated into and made a part of the Student Data Privacy Agreement (“**DPA**”) by and between:

Chico Unified School District, located at 1163 E Seventh Street, Chico, California 95928

(the “**Local Education Agency**” or “**LEA**”) and
ExploreLearning, LLC, located at 110 Avon Street, Suite 300, Charlottesville, VA 22902
(the “**Provider**”).

All capitalized terms not otherwise defined herein shall have the meaning set forth in the DPA.

WHEREAS, the Provider is providing educational or digital services to LEA, which services include: (a) cloud-based services for the digital storage, management, and retrieval of pupil records; and/or (b) digital educational software that authorizes Provider to access, store, and use pupil records; and

WHEREAS, the Provider and LEA recognize the need to protect personally identifiable student information and other regulated data exchanged between them as required by applicable laws and regulations, such as the Family Educational Rights and Privacy Act (“**FERPA**”) at 20 U.S.C. § 1232g (34 C.F.R. Part 99); the Protection of Pupil Rights Amendment (“**PPRA**”) at 20 U.S.C. § 1232h; and the Children’s Online Privacy Protection Act (“**COPPA**”) at 15 U.S.C. § 6501-6506 (16 C.F.R. Part 312), accordingly, the Provider and LEA have executed the DPA, which establishes their respective obligations and duties in order to comply with such applicable laws; and

WHEREAS, the Provider will provide the services to LEA within the State of California and the Parties recognizes the need to protect personally identifiable student information and other regulated data exchanged between them as required by applicable California laws and regulations, such as the Student Online Personal Information Protection Act (“**SOPIPA**”) at California Bus. & Prof. Code § 22584; California Assembly Bill 1584 (“**AB 1584**”) at California Education Code section 49073.1; and other applicable state privacy laws and regulations; and

WHEREAS, the Provider and LEA desire to enter into this Amendment for the purpose of clarifying their respective obligations and duties in order to comply with applicable California state laws and regulations.

NOW, THEREFORE, for good and valuable consideration, LEA and Provider agree as follows:

1. **Term.** The term of this Amendment shall expire on the same date as the DPA, unless otherwise terminated by the Parties.
2. **Modification to Article IV, Section 7 of the DPA.** Article IV, Section 7 of the DPA (Advertising Limitations) is amended by deleting the stricken text as follows:

EXHIBIT “H” – Additional Terms or Modifications

Version ExploreLearning, LLC.

LEA and Provider agree to the following additional terms and modifications:

ARTICLE V: DATA PROVISIONS

3. Data Security. The Provider agrees to utilize administrative, physical, and technical safeguards **consistent with industry standards and** designed to protect Student Data from unauthorized access, disclosure, acquisition, destruction, use, or modification. The Provider shall adhere to any applicable law relating to data security. The provider shall implement an adequate Cybersecurity Framework **that may be** based on one of the nationally recognized standards set forth set forth in **Exhibit “F”**. Exclusions, variations, or exemptions to the identified Cybersecurity Framework must be detailed in an attachment to **Exhibit “H”**. Additionally, Provider may choose to further detail its security programs and measures that augment or are in addition to the Cybersecurity Framework in **Exhibit “F”**. Provider shall provide, in the Standard Schedule to the DPA, contact information of an employee who LEA may contact if there are any data security concerns or questions.

Signature Certificate

Reference number: 4MF62-XPCTB-QNNWN-FB3GK

| Signer | Timestamp | Signature |
|--|--------------------------|--|
| Julia Given Email: julia.given@explorellearning.com Shared via link Sent: 18 May 2022 15:21:01 UTC Viewed: 18 May 2022 17:53:09 UTC Signed: 19 May 2022 13:13:11 UTC | |  IP address: 63.241.204.142 Location: Richardson, United States |
| Jay Marchant Email: jmarchant@chicousd.org Sent: 18 May 2022 15:21:01 UTC Viewed: 19 May 2022 16:46:53 UTC Signed: 19 May 2022 16:47:17 UTC | |  IP address: 198.189.48.23 Location: Chico, United States |
| Recipient Verification: ✓ Email verified | 19 May 2022 16:46:53 UTC | |

Document completed by all parties on:
19 May 2022 16:47:17 UTC

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