

**AMENDMENT #1 TO THE
NH DATA PRIVACY AGREEMENT
MODIFIED VERSION 1.0**

This Amendment #1 is effective as of Apr 27 2023 00:57:15 between Prospect Mountain School District, located at 242 Suncook Valley Road, Alton, NH 03809 USA (the “**Local Education Agency**” or “**LEA**”) and Zoho Corporation, located at Estancia IT Park, Plot No. 140 & 151 GST Road, Vallancherry, Village, Chengalpattu, Tamil Nadu 603202, India (the “**Provider**”). Capitalized terms not defined herein shall have the meaning ascribed in the DPA.

RECITALS

WHEREAS, LEA and Provider entered into the Data Privacy Agreement Modified Version 1.0 dated 6/17/21 (the “DPA”), which has been adopted by school districts that signed Exhibit E General Offer of Privacy Terms (each, a “Subscriber LEA”); and

WHEREAS, LEA and Subscriber LEAs receive certain Services from Provider pursuant to services agreements and as generally referenced in Exhibit A to the DPA; and

WHEREAS, the parties want to amend the DPA to add Rhode Island school districts to the DPA.

NOW THEREFORE, for good and valuable consideration, the parties agree as follows:

- I.** The parties agree to add the attached Exhibit “J” to the existing DPA.
- II.** Under section 2 of Exhibit E, delete " PURSUANT TO ARTICLE VII, SECTION 5."
- III. Miscellaneous.**
 - A. Entire Agreement; Conflict or Inconsistency.** Other than the changes set forth in the preceding paragraphs, all terms and conditions of the DPA remain in full force and effect. Where there is a conflict between the DPA and this amendment, the provisions of this amendment shall supersede and replace the conflicting terms and conditions of the DPA. This amendment, together with the DPA, and any previous addendums, constitutes the entire understanding of the parties and cannot be further modified except by further written agreement of the parties.

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound, have executed this amendment to the DPA as of the effective date indicated above.

Prospect Mountain School District

By:  Date: 4-28-2023
Matthew Dumond (May 12, 2023 08:18 EDT)

Printed Name: Matthew Dumond Title/Position: Tech Director

Provider

By:  Date: Apr 27 2023 00:57 IST

Printed Name: Vijay Sundaram Title/Position: Chief Strategy Officer

EXHIBIT "J"
Rhode Island

WHEREAS, the documents and data transferred from LEAs and created by the Provider's Services are also subject to several state laws in Rhode Island. Specifically, those laws are R.I.G.L. 16-71-1, et. seq., R.I.G.L. 16-104-1, and R.I.G.L., 11-49.3 et. seq.; and

WHEREAS, the Parties wish to enter into these supplemental terms to the DPA to ensure that the Services provided conform to the requirements of the privacy laws referred to above and to establish implementing procedures and duties;

WHEREAS, the Parties wish these terms to be hereby incorporated by reference into the DPA in their entirety for Rhode Island;

NOW THEREFORE, for good and valuable consideration, the parties agree as follows:

1. In Article IV, Section 2, replace "otherwise authorized," with "otherwise required" and delete "or stated in the Service Agreement." Provider is authorized to use (i) Student Data for fraud prevention, and spam filtering purposes; and (ii) De-Identified Data for improvement of algorithms; and (iii) Identifiable Student Data for developing models specific to the LEA.
2. All employees of the Provider who will have direct contact with students shall pass criminal background checks.
3. Article V, Section 1 Data Storage: Rhode Island does not require data to be stored within the United States. Student Data may be processed outside United States by Provider's group entities and Subprocessors in compliance with the provisions of this DPA.
4. The Provider agrees that this DPA serves as its written certification of its compliance with R.I.G.L. 16-104-1.
5. The Provider agrees to implement and maintain a risk-based information security program that contains reasonable security procedures.
6. In the case of a data breach, as a part of the security breach notification outlined in Article V, Section 4(1), the Provider agrees to provide the following additional information:
 - i. Information about what the Provider has done to protect individuals' information that has been breached;
 - ii. Advice on steps that the person whose information has been breached may take to protect himself or herself.

Microsoft Word - Amendment 1 to New Hampshire DPA - V6.0 Zoho clean (1).DOCX

Final Audit Report

2023-05-12

Created:	2023-04-28
By:	Ramah Hawley (rhawley@tec-coop.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA3XYugAjQgWY7BhgJWMq8_xLGcEaT9-Vp

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-  Document created by Ramah Hawley (rhawley@tec-coop.org)
2023-04-28 - 12:09:50 PM GMT- IP address: 100.1.89.97
-  Document emailed to mdumond@pmsau.org for signature
2023-04-28 - 12:10:03 PM GMT
-  Email viewed by mdumond@pmsau.org
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-  Email viewed by mdumond@pmsau.org
2023-05-12 - 12:16:58 PM GMT- IP address: 184.61.100.22
-  Signer mdumond@pmsau.org entered name at signing as Matthew Dumond
2023-05-12 - 12:18:08 PM GMT- IP address: 184.61.100.22
-  Document e-signed by Matthew Dumond (mdumond@pmsau.org)
Signature Date: 2023-05-12 - 12:18:10 PM GMT - Time Source: server- IP address: 184.61.100.22
-  Agreement completed.
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EXHIBIT "E"
GENERAL OFFER OF PRIVACY TERMS


1. Offer of Terms

Provider offers the same privacy protections found in this DPA between it and **Prospect Mountain School District** ("Originating LEA") which is dated 6-17-21, 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:

4141 Hacienda Drive, Pleasanton, CA 94588

ZOHO CORPORATION

BY:  Vijay Sundaram (Jun 17, 2021 11:53 PDT) Date: June 17, 2021

Printed Name: Vijay Sundaram Title/Position: Chief Strategy Officer

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 **Prospect Mountain School District** and the Provider. ****PRIOR TO ITS EFFECTIVENESS, SUBSCRIBING LEA MUST DELIVER NOTICE OF ACCEPTANCE TO PROVIDER PURSUANT TO ARTICLE VII, SECTION 5. ****

Subscribing LEA: (School District Name): Cumberland

BY:  Philip Thornton (May 12, 2023 10:05 EDT) Date: May 12, 2023

Printed Name: Philip Thornton Title/Position: Superintendnt

DESIGNATED REPRESENTATIVE OF LEA:

Name: Philip thornyon

Title: Superintendent

Address: 2602 mending Tf Cumberland ri

Telephone Number: 401 658 1600

Email: Phil.thornton@cumberlandscjools.org







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Final Audit Report

2023-05-12

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-  Document emailed to mike.chandler@cumberlandschools.org for signature
2023-05-12 - 12:35:13 PM GMT
-  Email viewed by mike.chandler@cumberlandschools.org
2023-05-12 - 2:03:27 PM GMT- IP address: 172.56.112.143
-  Signer mike.chandler@cumberlandschools.org entered name at signing as Philip thornton
2023-05-12 - 2:05:37 PM GMT- IP address: 172.56.112.143
-  Document e-signed by Philip thornton (mike.chandler@cumberlandschools.org)
Signature Date: 2023-05-12 - 2:05:39 PM GMT - Time Source: server- IP address: 172.56.112.143
-  Agreement completed.
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