

**AMENDMENT #2 TO THE
NEW HAMPSHIRE STUDENT DATA PRIVACY AGREEMENT
VERSION (2019)**

This Amendment #2 is effective as of April 1, 2023, and is between **Sunapee School District SAU#85** (“LEA”) and **Zoom Video Communications, Inc.** (“Provider” or “Zoom”). Capitalized terms not defined herein shall have the meaning ascribed in the DPA.

RECITALS

WHEREAS, LEA and Zoom entered into the New Hampshire Student Data Privacy Agreement Version (2019) on July 1, 2019 (the “DPA”), which has been adopted by school districts that signed Exhibit E General Offer of Privacy Terms (each, a “Subscribing LEA”); and

WHEREAS, LEA and Subscribing 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 extend the term.

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

- I.** The parties replace section “1. Term” of Article VI: MISCELLANEOUS in its entirety with the following:
 - 1. Term.** Provider agrees to be bound by the terms and obligations of this DPA through June 1, 2023.

- II. Miscellaneous.**
 - A. Entire Agreement; Conflict or Inconsistency.** Other than the changes set forth in the preceding paragraph, 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 amendments, constitutes the entire understanding of the parties and cannot be further modified except by further written agreement of the parties.

 - B. General Offer of Terms.** Provider, by signing the attached Exhibit E Form of General Offer of Privacy Terms, will be bound by the terms of this amendment and the DPA with any Subscribing LEA that duly countersigns the Exhibit E Form of General Offer of Privacy Terms.

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.

SUNAPEE SCHOOL DISTRICT SAU#85

By: Jonathan S Reed Date: Apr 5, 2023
Jonathan S Reed (Apr 5, 2023 12:54 EDT)

Printed Name: Jonathan S Reed Title/Position: Director of Technology

ZOOM VIDEO COMMUNICATIONS, INC.

By: Deborah Fay Date: Apr 5, 2023
DocuSigned by: 3BA802462F4F44D... DS
TS

Printed Name: Deborah Fay Title/Position: Deputy General Counsel