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AMENDMENT #2 TO THE

STANDARD STUDENT DATA PRIVACY AGREEMENT

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This Amendment #2 is effective as of the date of execution, and is between Champlain Valley School District("LEA") and Liminex, Inc. dba GoGuardian, and acting on behalf of itself and its Affiliates, including Pear Deck, Inc. and Snapwiz Inc. dba Edulastic, located at 2030 E Maple Ave., Suite 100, El Segundo, CA 90245 (the "**Provider**"). Capitalized terms not defined herein shall have the meaning ascribed in the DPA.

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RECITALS

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WHEREAS, LEA and Provider entered into the Standard Student Data Privacy Agreement for Vermont dated December 18, 2021 (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 extend the Services and clarify the impact of Provider-required privacy consents.

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

    I.   The parties add the following clause as a new section "10. Required Consents" in Article VII: MISCELLANEOUS.

> **10. <u>Required Consents</u>.** The Provider's COPPA forms or consents do not modify the terms of the DPA. The parties intend for the DPA to be a separate contractual agreement that is not superseded or modified by any existing or future COPPA forms or consents. No future consent or acknowledgement will supersede or modify the terms of the DPA absent an express signed agreement between LEA and Provider to the contrary.

    II.   The parties add the following to Exhibit A:

> **Giant Steps**
> Giant Steps is a gamified digital learning experience designed to boost collaboration and independent practice, helping you create an adaptable, equitable, and rewarding practice experience for all students. Teamwork is at the heart of your K-12 classroom, so Giant Steps gives all students a chance to succeed — not just the fastest fingers.

    III.   The parties add the following to Exhibit B:

Giant Steps

EXHIBIT "B"
SCHEDULE OF DATA

Category of Data	Elements	Check if Used by Your System
Application Technology Meta Data	IP Addresses of users, Use of cookies, etc.	X
	Other application technology meta data-Please specify:	
Application Use Statistics	Meta data on user interaction with application	X
Assessment	Standardized test scores	
	Observation data	
	Other assessment data-Please specify:	
Attendance	Student school (daily) attendance data	
	Student class attendance data	
Communications	Online communications captured (emails, blog entries)	
Conduct	Conduct or behavioral data	
Demographics	Date of Birth	
	Place of Birth	
	Gender	
	Ethnicity or race	
	Language information (native, or primary language spoken by student)	X A language preference option is available the Giant Steps product
	Other demographic information-Please specify:	
Enrollment	Student school enrollment	
	Student grade level	X
	Homeroom	
	Guidance counselor	
	Specific curriculum programs	
	Year of graduation	
	Other enrollment information-Please specify:	
Parent/Guardian Contact Information	Address	
	Email	

Category of Data	Elements	Check if Used by Your System
	Phone	
Parent/Guardian ID	Parent ID number (created to link parents to students)	
Parent/Guardian Name	First and/or Last	
Schedule	Student scheduled courses	
	Teacher names	X
Special Indicator	English language learner information	
	Low income status	
	Medical alerts/ health data	
	Student disability information	
	Specialized education services (IEP or 504)	
	Living situations (homeless/foster care)	
	Other indicator information-Please specify:	
Student Contact Information	Address	
	Email	X
	Phone	
Student Identifiers	Local (School district) ID number	
	State ID number	
	Provider/App assigned student ID number	X
	Student app username	
	Student app passwords	
Student Name	First and/or Last	X
Student In App Performance	Program/application performance (typing program-student types 60 wpm, reading program-student reads below grade level)	X
Student Program Membership	Academic or extracurricular activities a student may belong to or participate in	
Student Survey Responses	Student responses to surveys or questionnaires	X
Student work	Student generated content; writing, pictures, etc.	X
	Other student work data -Please specify: *Answers to multiple choice, diagram, text response, drawing, and classification questions.*	X
Transcript	Student course grades	
	Student course data	

Category of Data	Elements	Check if Used by Your System
	Student course grades/ performance scores	
	Other transcript data - Please specify:	
Transportation	Student bus assignment	
	Student pick up and/or drop off location	
	Student bus card ID number	
	Other transportation data – Please specify:	
Other	Please list each additional data element used, stored, or collected by your application: *Giant Step's then-current Product Privacy Policy (https://www.giantsteps.app/policies/product-privacy) describes the Student Data and other information collected.*	X
None	No Student Data collected at this time. Provider will immediately notify LEA if this designation is no longer applicable.	

IV. **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.

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

Champlain Valley School District

By: _Bonnie Birdsall_
Bonnie Birdsall (Oct 26, 2023 20:45 EDT)   Date: Oct 26, 2023

Printed Name: Bonnie Birdsall   Title/Position: Director of Digital Learning & Communication

Provider

By: _Luke Harris_
DocuSigned by:
6574252C2E444E7...   Date: 10/26/2023

Printed Name: Luke Harris   Title/Position: Chief Revenue Officer

PearDeck_Champlain_Amendment

Final Audit Report   2023-10-27

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✅ Agreement completed.
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