

**AMENDMENT #1 TO THE
NEW HAMPSHIRE STUDENT DATA PRIVACY AGREEMENT**

This Amendment #1 is effective as of the date of execution, and is between Portsmouth School Department (“LEA”) and Liminex, Inc. dba GoGuardian, 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.

RECITALS

WHEREAS, LEA and Provider entered into the New Hampshire Student Data Privacy Agreement dated May 4, 2021 (the “DPA”); and

WHEREAS, LEA receives 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 and clarify the impact of Provider-required privacy consents.

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

- I. The parties agree to amend section 1 (Term) in Article VI: MISCELLANEOUS by replacing “three (3) years” with “five (5) years”.
- II. The parties add the following clause as a new section “12. Required Consents” in Article VI: MISCELLANEOUS.

12. Required Consents. 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 The parties intend for the DPA to be a separate contractual agreement that is not superseded or modified by any existing or future COPPA forms or consents.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.

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.

[Signatures on Following Page]

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.

PORTSMOUTH SCHOOL DEPARTMENT

By: Thomas Lotz Date: Feb 8, 2024
Thomas Lotz (Feb 8, 2024 16:17 EST)

Printed Name: Thomas Lotz Title/Position: IT Manager

Provider

By: Ichiro Osumi Date: 1/30/2024
DocuSigned by:
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Printed Name: Ichiro Osumi Title/Position: CFO






Portsmouth School Department - TEC Amendments (Partially Executed 1-30-2024)

Final Audit Report

2024-02-08

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