

**EXHIBIT "E"**  
**GENERAL OFFER OF PRIVACY TERMS**

**1. Offer of Terms**

Provider offers the same privacy protections found in this DPA between it and San Dieguito Union High School District

("Originating LEA") which is dated Feb 22, 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:

andrew@rackcoach.com

**PROVIDER:** Rack Performance, Inc. (dba RackCoach)

BY: Andrew Sellers Date: 02-23-2022

Printed Name: Andrew Sellers Title/Position: VP of Operations

**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 San Dieguito Union High 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:** Modesto City Schools

BY: Matthew Ketchum Date: 03-25-2022

Printed Name: Matthew Ketchum Title/Position: Director of Educational Technology

SCHOOL DISTRICT NAME: Modesto City Schools

DESIGNATED REPRESENTATIVE OF LEA:

Name: Matthew Ketchum

Title: Director of Educational Technology

Address: 426 Locust ST Modesto California 95351

Telephone Number: (209) 574-1500

Email: ketchum.m@monet.k12.ca.us