

**AMENDMENT #1 TO THE  
STANDARD STUDENT DATA PRIVACY AGREEMENT**

This Amendment #1 is effective as of the date of execution, and is between Hopkinton Public Schools (“LEA”) and Pear Deck, Inc., 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 Standard Student Data Privacy Agreement for Massachusetts dated August 12, 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. 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 The parties intend for the DPA to be a separate contractual agreement that is not superseded or modified by any existing or future COPPA forms or consents.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.

**II. 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.

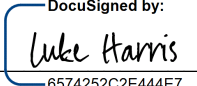
**IN WITNESS WHEREOF**, the parties hereto, intending to be legally bound, have executed this amendment to the DPA as of the effective date indicated above.

**Hopkinton Public Schools**

By: Ashoke Ghosh Date: Oct 27, 2023

Printed Name: Ashoke Ghosh Title/Position: Director of Technology

**Provider**

By:  Date: 10/26/2023  
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Printed Name: Luke Harris Title/Position: Chief Revenue officer






# PearDeck\_Hopkinton\_Amendment

Final Audit Report

2023-10-27

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