

## Saige Hupman

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**From:** Cezar, Jennifer Brewer <jcezar@ti.com>  
**Sent:** Friday, May 5, 2023 2:56 PM  
**To:** Saige Hupman  
**Subject:** Data Privacy

**Categories:** To-Do

**[EXTERNAL EMAIL]** This email has been received from an external source. Please use extra caution before opening attachments or following links.

Thank you for contacting Texas Instruments Incorporated!

I am writing in response to your inquiry regarding a data privacy agreement. Due to the volume of Data Privacy Form requests, Texas Instruments made the decision to draft their own Data Privacy Forms that address data privacy compliance legislation rather than reviewing and signing 1000's of unique data privacy forms.

TI only collects a minimum amount of student data needed to associate a specific user with the following software platforms for registration and authentication:

TI-Nspire™ CX II online calculator  
TI-84 Plus CE online calculator  
TI-Connect CE App  
TI-Connect CE App for Chrome OS

This data consists of student name, email address, and App Username with authenticating password. Under FERPA, these data elements are classified as "directory information" and as such, are not considered harmful if disclosed. For the TI-Nspire and TI-84 online calculators that are district or school purchased, the purchaser will assign a district/school employee as the Organization Administrator (Org Admin). The Org. Admin would determine what directory level data is used for login and account association and manage storage and access to this PII.

The following TI software platforms do not collect data and are either end-user network managed or installed directly on individual computers.

- TI-Nspire™ CX Student software
- TI-Nspire™ CX CAS Student software
- TI-Nspire™ CX Premium Teacher software
- TI-Nspire™ CX II Connect software,
- TI-SmartView™ CE emulator for the TI-84 Plus
- TI-SmartView™ emulator for MathPrint™ calculators

TI respects student data privacy and protects the directory level information collected in accordance with TI's Student Data Privacy Policy and Texas Instruments' Privacy Policy which is posted below along with additional information regarding TI's online calculators or at the following URLs:

<https://education.ti.com/en/product-resources/datapolicy>

[https://www.ti.com/legal/terms-conditions/privacy-policy.html?ref\\_url=https://education.ti.com/en/product-resources/datapolicy](https://www.ti.com/legal/terms-conditions/privacy-policy.html?ref_url=https://education.ti.com/en/product-resources/datapolicy)

The Student Data Privacy Policy describes TI practices for handling student data, including:

- What data is collected – directory data only
- How the data will be used – for the purpose of associating valid user accounts with App licenses, and product improvements

- Data accuracy and correction practices – access, review and deletion of student data can be submitted to our Information Request Form
- Subcontractor oversight – subcontractors have zero access to student data or personnel data.
- Security practices – encryption, data storage

In addition to the TI Student Data Privacy Policy, additional information is included in the End User License Agreements which can be found at the following URLs:

<https://education.ti.com/en/customer-support/end-user-license-agreement-for-os>

<https://education.ti.com/en/product-resources/eula-chrome-app>

TI has also drafted a form that covers any Parent's Bill of Rights or supplemental requests in our Supplemental Data Privacy Form, which provides details on the items listed above. I have attached a copy of TI's Student Data Privacy document, TI's Cloud-based Application Information and TI's signed, Supplemental Information for Parents' Bill of Rights for Data Privacy and Security.

Corporate TI also posts an online privacy policy that has additional information at the following URL:

<https://www.ti.com/legal/terms-conditions/privacy-policy/north-america.html?keyMatch=DATA%20PRIVACY>

If you have further questions or would like clarification about any of the information above, please contact me at [icezar@ti.com](mailto:icezar@ti.com) or 972-281-7676.

## **Texas Instruments Education Technology Student Data Policy**

This Student Data Privacy Policy explains how Texas Instruments Incorporated, 12500 TI Boulevard, Dallas, Texas 75243, USA and its subsidiaries (collectively, "TI", "we", or "our") handle information we collect on or through the websites ("Websites") used to access certain educational software applications ("Apps") we have made available for use by students ("Students").

This Student Data Privacy Policy is intended primarily for schools or school districts, parents/guardians and student users (collectively, "you" or "your"). It supplements TI's [Privacy Policy](#). To the extent that this Student Data Privacy Policy conflicts with TI's Privacy Policy, this Student Data Privacy Policy shall apply. By visiting the Websites and/or using our Apps, you acknowledge and agree to the practices described in this Student Data Privacy Policy.

### **1. Overview and Summary**

Privacy is important to TI and we are dedicated to protecting "Student Data", which is personally identifiable information of a specific Student, or material that is linked to personally identifiable information of a specific Student, that is not publicly available and which is provided to us for school purposes and gathered through use of our Websites and/or Apps (or otherwise provided by students, student parents, schools or school districts).

Many of TI's education technology products can be used without collection of Student Data. In situations where we do collect Student Data, we follow the data privacy principles described in this Student Data Privacy Policy, which are summarized below:

- TI only collects a limited amount of Student Data (e.g., **student name, email address/username**)
- TI only collects and uses Student Data, and may share such Student Data with third party service providers, for the purposes of associating valid user accounts with App licenses.
- TI does not rent or sell Student Data.
- Student Data for the EU and UK is only stored and processed within the EU.
- For questions regarding this Student Data Privacy Policy, contact TI using our [Information Request Form](#).

### **2. What Information We Gather and Why**

TI only collects a limited amount of Student Data that we need to facilitate Student access to the Apps through the Websites as requested by schools/school district administrators on behalf of Students or by Students themselves (either directly or through a parent/guardian). For example, TI may collect Student Data in the form of user account information such as **student name, email address/username and password**. This information falls within the category of "directory information" under The Family Educational Rights and Privacy Act of 1974 (FERPA) (20 U.S.C. §1232g) and is not generally considered harmful or an invasion of privacy if disclosed.

In order to access an App, a Student must first log in to the Website. In order to log in to the Website, a Student must have a valid user account. User accounts may either be created directly by a Student (or their parent/guardian) upon purchasing a license to an App, or by a school/school district administrator on a Student's behalf.

Alternatively, Students may log in to the Website using Google single-sign-on, in which case use of such functionality will be governed by the applicable Google terms of service.

### **3. How We Use Your Information**

TI uses Student Data for the purposes of associating an App user account with an App license and for related support functions. We do not use Student Data for any other purpose. TI does not use Student Data to build a student profile or for advertising or marketing purposes.

### **4. Do We Share Student Data with Third Parties?**

We do not rent or sell Student Data to third parties. TI only shares Student Data in limited circumstances. Specifically, we may work with certain third-parties who perform services on our behalf to support the provision of services described in this Policy. These third-party service providers may only access Student Data to the extent necessary to fulfill the purpose for which they are retained and under strict confidentiality, security and privacy terms.

In certain circumstances, we may disclose Student Data to a requesting parent/guardian or school/school district administrator who registered the user account connected with a Student.

### **5. FERPA Compliance**

FERPA is a United States federal law that governs access to student educational records. Where applicable, TI will handle Student Data as required by FERPA. To the extent TI is provided with Student Data from a school/school district administrator, such information shall be owned and controlled by such school/school district, and TI will only use Student Data for authorized school purposes.

## 6. COPPA Compliance

The Children's Online Privacy Protection Act (COPPA) is a United States federal law that sets forth requirements for operators of websites directed to children under 13 years of age. TI's Websites are not directed to children under 13 years of age. To the extent COPPA applies, and where a school/school district provides TI with Student Data, TI requires the school/school district to obtain necessary consent on behalf of Students' parents/guardians to permit Students' use of the Website to obtain an App.

If you believe that we may have collected Student Data from someone under the age of 13 without obtaining parental/guardian consent, please let us know using our [Information Request Form](#), and we will take appropriate measures to investigate and address the issue.

## 7. GDPR Compliance

The General Data Protection Regulation (GDPR) is a legal framework that sets guidelines for the collection and processing of personal information from individuals who live in the EU or the UK. TI handles appropriately all Student Data as required by GDPR.

## 8. Access, Review and Deletion of Student Data

Under applicable data privacy laws, parents, school/school district administrators, and Students may request to access, review, correct, update or delete Student Data.

Such requests regarding Student Data may be submitted to TI using our [Information Request Form](#).

To process your request, TI may need to verify your identity; applicable law may also permit or require TI to retain information about you for specific purposes, such as to demonstrate compliance.

## 9. Data Security and Retention

TI cares about the security of Student Data, and we use a variety of administrative and technical measures to help protect it, including commercially available security technologies such as usernames/passwords, secure servers, firewalls, encryption and back-ups. It is your responsibility to safeguard any password, user ID, and other Student Data while using the Websites and the Apps. Regardless of protective efforts, transmissions over the Internet are never guaranteed to be entirely secure or error-free.

TI may retain Student Data for the time necessary to fulfill the purposes described in this Policy, unless a longer retention period is required or permitted by law.

Please note that even when TI deletes Student Data, it may persist on backup or archival media for an additional period of time.

## 10. Changes to this Student Data Privacy Policy

We reserve the right to change this Student Data Privacy Policy at any time. We note the effective date of this Policy at the bottom of this page, and we recommend that you periodically review this Student Data Privacy Policy to learn of any changes and stay informed regarding TI's current practices. When you visit or use the Websites and the Apps, you are accepting the current version of this Student Data Privacy Policy.

## 11. Contact TI Regarding this Policy

You can contact TI regarding this Privacy Policy using our [Information Request Form](#)

## CLLOUD-BASED APPLICATION INFORMATION

### Cloud Resource Website/URL's

<https://nspirecxii.ti.com>

<https://84plusce.ti.com>

### Client Systems and Software Configuration

1. Servers will not need to be set up to host the application.
2. Additional software installation is not required to include browser extensions and/or plugins. The online calculator applications require Chrome browser installed on computer (v109 or greater). These applications are not supported on Safari.
3. You may need to change configurations on computers, browsers or firewalls to utilize the online calculators. System information and potential configuration issues identified below:

System Requirements:

Chrome Browser, v109 or greater

Mac, Win, Chromebook

Allowed access to product's URL

Unsupported OS/Browser

Your browser is not supported. This application requires Chrome browser version 109 or higher for Chrome OS, macOS and Windows.

Clipboard Access Error

Access to the clipboard cannot be detected and is required by application.

Shared Memory Error

Shared memory cannot be detected and is required by application.

File Access Error  
Local file system access cannot be detected and is required by application.

Web USB Disabled  
Web USB cannot be detected and is required by application. It may be disabled or blocked by your security policy.

Example: <https://nspirecxii.ti.com/tco/invalid-browser>

### **System Management and Security**

TI performs system penetration and application testing. Application testing is performed after code changes. System vulnerability testing is conducted regularly and system intrusion prevention is in place. System software updates and patches are provided as needed. The System, servers and network devices are located in an environmentally controlled and secure facility under controlled circumstances requiring photo ID access by authorized personnel only.

### **Data Storage, Retention, and Access**

All student data at rest is encrypted and hosted on a multi-tenant instance. Data is secured with unique encryption keys for each customer on systems hosting any student data. Data is protected in transit through secure socket layer, hashing, etc. Beyond the directory level data collected for the purposes of associating an account to a user login managed by 10Duke, TI employees and TI subcontractors do not have access to, will not accept, collect, gather, store, report or record any Personally Identifiable Information at any time. Background checks are completed on personnel, including subcontractors that have access to servers, applications and customer data. TI has a process in place for authenticating callers and resetting access controls. To delete school/system data, requests can be submitted by the [Information Request Form](#).

### **Development and Change Management Process**

Notification to customers regarding any data privacy changes is provided online and users are recommended to periodically check TI's data privacy policy. Updates to the software are provided to customers through an update notice within the software.

### **Audits and Standards**

There is no process for customers to audit the security and privacy of records. TI Security Operations are reviewed and audited by outside groups (Qualys and Nexus). TI follows ISO, NIST and PCI DSS security standards.

### **Test and Development Environments**

Live student/privacy data will not be used in a non-production environment.

### **Data Breach, Incident Investigation and Response**

TI maintains a backup-and-restore and protection processes in the case of a disaster, or denial-of-service attack. TI has a processes for managing a data breach, and in performing security incident investigations and/or e-discovery.

## **Supplemental Information for Parents' Bill of Rights for Data Privacy and Security**

**Educational Agency:** [Broome-Tioga BOCES](#) ("Education Agency")

**Contractor:** [Texas Instruments Incorporated](#) ("TI")

### **Software Product(s):**

- \_\_\_\_\_ TI-84™ Plus CE App for Chrome OS™
- \_\_\_\_\_ TI Connect™ for Chrome OS
- \_\_\_\_\_ TI-84™ Plus CE Online Calculator
- \_\_\_\_\_ TI-Nspire™ CX Online Calculator
- \_\_\_\_\_ TI-Nspire™ CX Student software
- \_\_\_\_\_ TI-Nspire™ CX CAS Student software
- \_\_\_\_\_ TI-Nspire™ CX Premium Teacher software
- \_\_\_\_\_ TI-Nspire™ CX II Connect software,
- \_\_\_\_\_ TI-SmartView™ CE emulator for the TI-84 Plus
- \_\_\_\_\_ TI-SmartView™ emulator for MathPrint™ calculators

**Contract:** TI Student Data Privacy Policy and TI End User License Agreement for the selected software product(s) ("TI Apps") identified above.

**Contract Term** is three (3) years from the date of software activation. (Education Agency to complete after TI Signature).

**Activation Date:** \_\_\_\_\_ **End Date:** \_\_\_\_\_ (3 years from Activation Date)

**Exclusive Purpose/Student Data:**

TI requires minimal student directory data information to support user verification/authentication to enable use of these “**TI Apps**”. This directory information may include the user’s name- or alternative identifier, email address, and username/password (collectively “**Student Data**”). This directory information is collected by TI (and its subcontractors) from the **Education Agency** for authorized educational/school purposes exclusively to use and support these **TI Apps** for the purposes of associating a **TI App** user account with a **TI App** license and for related support functions. This **Student Data** will not be used for any other purpose. TI does not use **Student Data** to build a student profile or for advertising or marketing purposes. TI will handle this **Student Data** under TI’s Student Data Privacy Policy.

**Subcontractor Written Agreement:**

To support TI’s collection and processing of **Student Data** related to these **TI Apps**, TI may use subcontractors (such as 10Duke Software Limited) who are subject to a subcontractor agreement that requires the subcontractors to adhere to materially similar data handling/protection requirements as are imposed on TI by applicable state and federal laws, and as may be required by TI to carry out the practices in this Supplement (and the Contract).

**Challenges to Data Accuracy:**

If the **Education Agency** or parents deem it necessary to correct any **Student Data** in TI’s (and its subcontractor’s) possession, TI agrees to facilitate corrections within 45 days of TI’s receipt of a written request from the **Education Agency**. The **Education Agency** can contact TI about such request using the [Information Request Form](#) link in the TI Student Data Privacy Policy.

**Data Transfer and Secure Destruction:**

After expiration or termination of the Contract, upon **45** days written request from the **Education Agency**, TI will securely transfer the applicable **Student Data** to the **Education Agency** in a format agreed to by the parties (e.g., csv, pdf, txt secure sftp server, etc.). If no request is made, TI will securely delete and destroy the applicable **Student Data** when TI is aware the **Student Data** is no longer needed for the educational/school purposes described above, or when required under TI’s standard data retention policy.

**Secure Data Storage:**

**Student Data** will be stored in the United States and protections taken to ensure the **Student Data** will be protected using a third-party cloud or infrastructure (such as Amazon Web Services, Inc.) selected by TI’s subcontractor and approved by TI.

**Secure Data Security and Privacy Risk Mitigation:**

TI deploys policies, processes, and technologies combining selected elements from security policies and standards published by well-known groups or other authoritative sources and applies them to TI’s business environment. These include:

- o [ISO/IEC- 27009:2020](#) – implementing and maintaining security procedures to detect, protect and respond to cyberattacks that may compromise **Student Data**; and
- o NIST Cybersecurity Framework (<https://www.nist.gov/cyberframework>) – employing reasonable administrative, technical and physical safeguards including: encryption, firewalls, and password protection to protect the security, confidentiality and integrity of **Student Data** from unauthorized disclosure while in motion or in custody.

In addition, TI provides regular and periodic training to its personnel concerning disclosure of personally identifiable information, cybersecurity and practices.

**Encryption:**

Data will be encrypted while in motion and at rest to prevent interception.

**Data Breach:**

TI maintains procedures for response to a potential breach of different magnitudes. TI will notify the **Education Agency** of any breach of personally identifiable information within 7 calendar days after its determination the breach has occurred, and the notification will identify any details, to the extent required by law.

**Teachers and Principals:**

The foregoing data protections will also be extended to personally identifiable information of teachers and principals to the extent required by state and federal laws.

TI gives the **Education Agency** permission to publish this Supplement on its website with a Parents Bill of Rights if the **Student Data** collected by TI is deemed by the **Education Agency** to be personally identifiable information.

**Contractor:** Texas Instruments Incorporated

**Signature:** *Laura Chambers*

**Name:** Laura de Hoop Chambers

**Title:** Director, Worldwide Sales and Marketing

**Date:** 05/05/2023