

Orchard Park Central School District

2240 Southwestern Blvd. West Seneca, NY 14224



David Lilleck
Superintendent

www.opschools.org
(716) 209-6200

To Whom It May Concern:

As the Data Protection Officer for Orchard Park Central School District, I am writing to notify you of changes in our requirements to work with your company effective July 1, 2020. Our Board of Education policy requires Orchard Park Central School District to establish a data privacy agreement (DPA) with any vendor or company who collects student data. This is in response to recent changes in New York State Education Law.

Chapter 56 of the Laws of 2014 added Section 2-d to the Education Law effective April 2014. The focus of the law is the privacy and security of personally identifiable information (PII) of students. The law outlines certain requirements for districts and their third-party contractors to ensure the privacy and security of certain protected information.

The regulations require all New York State schools to establish requirements for contracts and other written agreements where PII will be provided to a third-party contractor and also attempt to clarify obligations where click-through agreements for software applications are utilized.

Our teachers and students value your product and have come to rely on your product and we wish to continue doing business with you. Please review the attached contract (Exhibit A) which outlines all requirements for any vendor collecting information about our students. Please also review the attached form (Exhibit B) which requires all vendors to list user data collected. **We are required to have all documents signed and returned prior to issuing a purchase order for your product or service.**

We look forward to maintaining our relationship with your company and ensuring the privacy and safety of our students.

Sincerely,

A handwritten signature in black ink, reading "Sarah Hornung".

Sarah Hornung
Director of Technology and Chief Information Officer
Data Protection Officer
shornung@opschools.org
716-209-6330

Sarah Hornung
Director of Technology &
Chief Information Officer

Technology Department
2240 Southwestern Blvd.,
West Seneca NY 14127

(716) 209-6330
Fax: (716) 209-6353
www.opschools.org/technology

[Exhibit B]

Does your product or service utilize a **clickwrap** or **clickthrough** agreement?

Yes

Are there any advertisements on your product?

No

What user data is collected by your product, service or company?

Below is list of all required data fields for the AAPPL:

1. State/Province, 2. District, 3. School, 4. Teacher, 5. Student ID Number (Any format), 6. Last Name*, 7. First Name*, 8. By which gender student should be addressed, 9. Language, 10. For Chinese only - writing style, 11. AAPPL component: ILS, PW, IL, IR, 12. Test Form, 13. Grade Level, 14. Grade, 15. Year of language study in which student is currently enrolled, 16. Type of Instruction, 17. Student's relationship to target language being assessed

*First and last name can be excluded but if excluded, student score reports and certificates will not include their names.

Please identify how data **at rest** is protected by your product, service or company?

LTI uses 256-bit AES encryption technology or higher to protect data while at rest.

Please identify how data **in transit** is protected by your product, service or company?

LTI uses TLS 1.2 to secure data in motion.