



New Hartford Central School District

33 Oxford Road, New Hartford, NY 13413

Data Privacy

Release and/or Sharing of Student/Teacher/Principal Data Form

Third-Party Contractors requesting access to student data and/or teacher or principal data ("data") must complete this form to ensure the confidentiality and security of data as required by Board of Education policy and all applicable local, state, and federal laws. Attach addendums to the questions if more space is needed

Contractor/Company: <u>eDynamic LP</u> Representative Name and Title: <u>Maureen Ginley</u> Contractor Phone Number: <u>413-587-9917</u>
1. Describe the data that is being requested and/or stored: Instructor name (first/last) and email; Student name (first/last) and email
2. Exclusive purposes of the use of the data: Both instructors and students have their own accounts in the Virtual Business system. We set up accounts for instructors using the instructor's first and last name and their email address. Students register for their own accounts using their first and last name as well as an email address. Instructor accounts are used for creating courses for their students and monitoring their progress. Student accounts are created so that students may complete the coursework on the simulation assignments.
3. Will any third-party subcontractors have access to the data? <u>Yes</u> No We use a third party contractor for after hours support. The contractor is given access to only those areas in the Virtual Business system that are necessary to support instructor and student inquiries. The contractor is an extension of our company's support team and is therefore bound by all of the state and federal laws that eDynamic LP agrees to as part of agreements that the company signs.
4. What happens to the data upon expiration of the agreement or relationship with the District? The company automatically deletes courses (including student data) 12 months post course expiration date.
5. How would a parent, student, eligible student, teacher or principal challenge the accuracy of the data that is collected or stored? An individual may challenge the accuracy of the data by contacting the student's instructor of the course. The instructor has access to all of the student's work history and progress. If the instructor needs assistance locating the data, the instructor may contact our support team and we will assist in this process.
6. Describe where the data will be stored so as to protect data security and the security protections that will be taken to ensure such data will be protected, including whether such data will be encrypted and if so, how? Our service is provided via AWS (Amazon Web Services) and our data is stored with AWS as well. The company's Information Security is built around the following globally accepted security standards:

- NIST SP 800-53 Recommended Security Controls for Federal Information Systems
- NIST SP 800-30 Risk Management Guide for IT Systems



NEW HARTFORD CENTRAL SCHOOL DISTRICT PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY

The New Hartford Central School District is committed to protecting the privacy and security of student data and teacher and principal data. In accordance with New York Education Law Section 2-d and its implementing regulations, the District informs the school community of the following:

- 1) A student's personally identifiable information cannot be sold or released for any commercial purposes.
- 2) Parents have the right to inspect and review the complete contents of their child's education record.
- 3) State and federal laws protect the confidentiality of personally identifiable information, and safeguards associated with industry standards and best practices, including but not limited to encryption, firewalls, and password protection, must be in place when data is stored or transferred.
- 4) A complete list of all student data elements collected by New York State is available for public review at the following website <http://www.nysed.gov/student-data-privacy/student-data-inventory> or by writing to the Office of Information and Reporting Services, New York State Education Department, Room 865 EBA, 89 Washington Avenue, Albany, New York 12234.
- 5) Parents have the right to have complaints about possible breaches of student data addressed. Complaints to the District should be directed in writing to Data Protection Officer, New Hartford Central School District, 33 Oxford Rd, New Hartford, NY, 13413 or to jgillette@nhart.org.
Complaints to the State Education Department should be submitted, in writing, to Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, New York 12234. Complaints may also be submitted using the form available at the following website <http://www.nysed.gov/student-data-privacy/form/report-improper-disclosure> , or to CPO@mail.nysed.gov.

This bill of rights is subject to change and will be revised from time to time in accordance with regulations issued by the Commissioner of Education and guidance received from the State Education Department

APPENDIX TO PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY

Supplemental Information Regarding Third-Party Contractors

In the course of complying with its obligations under the law and providing educational services to District residents, the New Hartford Central School District may enter into agreements with certain third-party contractors. Pursuant to these agreements, third-party contractors may have access to "student data" and/or "teacher or principal data," as those terms are defined by law and regulation.

For each contract or other written agreement that the District enters into with a third-party contractor where the third-party contractor receives student data or teacher or principal data from the District, the following information will be included in the contract, Data Protection Agreement, or Terms of Service/Privacy Policy Contract Addendum with this Bill of Rights:

- 1) The exclusive purposes for which the student data or teacher or principal data will be used by the third-party contractor, as defined in the contract;
- 2) How the third-party contractor will ensure that the subcontractors, or other authorized persons or entities to whom the third-party contractor will disclose the student data or teacher or principal data, if any, will abide by all applicable data protection and security requirements, including but not limited to those outlined in applicable laws and regulations (e.g., FERPA; Education Law Section 2-d);
- 3) The duration of the contract, including the contract's expiration date, and a description of what will happen to the student data or teacher or principal data upon expiration of the contract or other written agreement (e.g., whether, when, and in what format it will be returned to the District, and/or whether, when, and how the data will be destroyed);
- 4) If and how a parent, student, eligible student, teacher, or principal may challenge the accuracy of the student data or teacher or principal data that is collected;
- 5) Where the student data or teacher or principal data will be stored, described in a manner as to protect data security, and the security protections taken to ensure the data will be protected and data privacy and security risks mitigated; and
- 6) Address how the data will be protected using encryption while in motion and at rest.

Name Brian Piccioni Title CFO Signature *B.L. Piccioni*.

Company Name eDynamic LP Product Name: Virtual Business

By signing the above, you agree to comply with the terms of the New Hartford Central School District Parents' Bill of Rights for Data Privacy and Security, to the extent the foregoing provisions are applicable to your company.






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Final Audit Report

2023-04-07

Created:	2023-04-07
By:	MAUREEN GINLEY (ginley@knowledgematters.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA3NYudIXqUA5m47a-G-JalBGrMbzsntTL

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-  Document created by MAUREEN GINLEY (ginley@knowledgematters.com)
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