

EXHIBIT 1

PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY OF SOUTHERN WESTCHESTER BOCES

In accordance with New York State Education Law Section 2-d, the Southern Westchester Board of Cooperative Educational Services ("Southern Westchester BOCES") hereby sets forth the following Parents' Bill of Rights for Data Privacy and Security, which is applicable to all students and their parents and legal guardians.

- (1) New York State Education Law Section 2-d (Section 2-d") and the Family Educational Rights and Privacy Act ("FERPA") protect the confidentiality of personally identifiable information. Section 2-d and FERPA assure the confidentiality of records with respect to "third parties," and provides parents with the right to consent to disclosures of personally identifiable information contained in their child's education records. Exceptions to this include school employees, officials and certain State and Federal officials who have a legitimate educational need to access such records. In addition, the Southern Westchester BOCES will, upon request of parents, legal guardians or eligible students, or if otherwise required by law, disclose student records to officials of another school district in which a student seeks to enroll. An eligible student is a student who has reached 18 years of age or attends a postsecondary institution.
- (2) A student's personally identifiable information cannot be sold or released for any commercial purposes;
- (3) Personally, identifiable information includes, but is not limited to:
 - i. The student's name;
 - ii. The name of the student's parent or other family members;
 - iii. The address of the student or student's family;
 - iv. A personal identifier, such as the student's social security number, student number, or biometric record;
 - v. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
 - vi. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
 - vii. Information requested by a person who the Southern Westchester BOCES reasonably believes knows the identity of the student to whom the education record relates.

- (4) In accordance with FERPA, Section 2-d and Southern Westchester BOCES Policy No. 7240, Student Records: Access and Challenge, parents and legal guardians have the right to inspect and review the complete contents of their child's education record.
- (5) Southern Westchester BOCES has the following safeguards in place: Encryption, firewalls and password protection, which must be in place when data is stored or transferred.
- (6) New York State, through the New York State Education Department, collects a number of student data elements for authorized uses. A complete list of all student data elements collected by the State is available for public review at the following links or can be obtained by writing to the Office of Information and Reporting Services, New York State Education Department, Room 865 EBA, 89 Washington Avenue, Albany, NY 12234:

http://www.p12.nysed.gov/irs/data_reporting.html
<http://data.nysed.gov/>
<http://www.p12.nysed.gov/irs/sirs/documentation/nyssisguide.pdf>

- (7) Eligible students, parents and legal guardians have the right to have complaints about possible breaches of student data addressed. Any such complaint should be submitted, in writing, to the Data Protection Officer of Southern Westchester BOCES at dpo@swboces.org or at [450 Mamaroneck Avenue, Harrison, New York 10528](#). Parents can direct any complaints regarding possible breaches via the electronic form on the Southern Westchester BOCES home page, under Resources, and Student Privacy. The complaint form can also be found by going to <https://bit.ly/swbdatabreach>. Alternatively, a written complaint may also be submitted to the Chief Privacy Officer of the New York State Education Department using the form available at <http://www.nysed.gov/student-data-privacy/form/report-improper-disclosure> or writing to Privacy Complaint, Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, New York 12234.

Supplemental Information for Agreement with Educational Vistas

hereinafter "Third-party Contractor") The Third-party Contractor will provide the following information and Southern Westchester Board of Cooperative Educational Services ("Southern Westchester BOCES") will review and approve or require revision of this Supplemental Information until it is acceptable to Southern Westchester BOCES.

(1) The personally identifiable student data or teacher or principal data (collectively, "the Data") received by the Third-party Contractor will be used exclusively for the following purpose(s):

Data collected will be used with the sole purpose of fulfilling the contractual obligations set forth in agreement and as requested by the client. Data is not and will never be considered to be the property of the Third-party Contractor, and can be destroyed upon request.

(2) The Third-party Contractor will ensure that all subcontractors and other authorized persons or entities to whom student data or teacher or principal data will be disclosed will abide by all applicable data protection and security requirements, including those mandated by New York State and federal laws and regulations, by the following means:

Subcontractors are required to adhere to the same level of security as our internal staff. We require contractors to sign documents stating they will safeguard the data and not use or share any of the districts data. Staff is instructed and trained to not store, remove, or share any customer data. We only use the customer's information in training the customer at the customer's site. Staff is trained on HIPAA Privacy, Security Rules, GLBA, which talks about safeguard procedures against fraud or identity theft and instruction about computer security, and FISMA (Federal Information and Security). We also comply with FERPA, which includes hiring contractors to minimize security risks. Every employee and contractor is required to sign a confidentiality agreement as part of their employment package. See attached Data Privacy and Security Statement.

(3) The Agreement with the Third-Party Contractor will be in effect from January 1st, 2025 to June 30, 2025. Upon the expiration of the Agreement, all student data or teacher or principal data remaining in Third-party Contractor's possession will be (check those that are applicable and fill in required information):

- a. X Returned to Southern Westchester BOCES and/or the public or private schools or school districts or Boards of Cooperative Education Services that purchase services through the Agreement Third-party Contractor has with Southern Westchester BOCES (collectively, referred to herein as "Purchasing Schools/BOCES" and referred to individually herein as "Purchasing School/BOCES") by August 30, 2025. If requested, we reserve the right to have the data returned to us in a format that can be easily read and imported into commonly used productivity tools, not limited to Microsoft Applications. The data should also be easily readable and organized.
- b. Securely delete/destroy data belonging to the Purchasing Schools/BOCES by August 30, 2025 in the following manner: At a minimum, wiping drives by writing zeros to all bits as well as using other industry standard levels of data deletion.
- c. X Other – explain Third-party Contractor's obligation to return the student, teacher and/or principal data may be satisfied by the offering of functionality within its products that allow the Purchasing Schools/BOCES to retrieve its own data.

(4) In the event that a student's parent or guardian or an eligible student seeks to challenge the accuracy of student data pertaining to the particular student, which data may include records maintained, stored, transmitted or generated by the Third-party Contractor pursuant to its Agreement with Southern Westchester BOCES, the challenge will be directed to the Purchasing Schools/BOCES and processed in accordance with the procedures of the Purchasing Schools/BOCES. In the event that a teacher or principal seeks to challenge the accuracy of teacher or principal data pertaining to the particular teacher or principal, which data may include records maintained, stored, transmitted or generated by the Third-party Contractor pursuant to its Agreement with Southern Westchester BOCES, the challenge will be directed to the Purchasing Schools/BOCES and processed in accordance with the procedures for challenging annual professional performance review ("APPR") data established by the Purchasing Schools/BOCES.

(5) Describe where the Data will be stored (in a manner that will protect data security) and the security protections that will be taken by the Third-party Contractor to ensure the Data will be protected (e.g., offsite storage, use of cloud service provider, etc.);

Educational Vistas' programs and data are housed at TurnKey in Latham which is a secure data Center. TurnKey is a 24/7 monitored facility that restricts physical access to the servers. The servers are also appliance and firewall protected from outside access. There are only 3 of our technicians allowed into the data center and the data center is required to call our offices before granting anyone access to the servers. The center requires physical sign-in to the facility as well. Data is housed on multiple redundant load-balanced servers within the facility. Backed up data is encrypted and has to be restored to the data center before it can be used. The data center uses SHA-256 bit encryption along with <https://> to encrypt the data to and from the end points. Data at rest refers to data that is not moving, data on a drive, or backed up data. For example, this may be a file from a customer. Our internal policies restrict us from putting any client data on a laptop, or USB, or personal devices. Client data can only be accessed through the secure server. Any backed up data is encrypted and cannot be accessed without being restored to the data center.

See attached Data Privacy and Security Statement

(6) Third-party Contractor will use the following encryption technology to protect the Data while in motion or at rest in its custody: at a minimum of TLS1.2 or higher & 2048 bit encryption for web-based data.



Signature

Lukas J. Crowder

Print Name of Signer

CFO

Title

01/06/2025

Date

**SOUTHERN WESTCHESTER BOARD
OF COOPERATIVE EDUCATIONAL
SERVICES**

Victor Pineiro, Director of
Technology/DPO

Digitally signed by Victor Pineiro, Director of
Technology/DPO
Date: 2025.01.07 12:58:40 -05'00'

Signature

Victor Pineiro

Print Name of Signer

Dir. of Technology/DPO

Title

Date



Educational Vistas, Inc.

2200 Maxon Rd. Ext.
Schenectady, NY 12308
(518) 344-7022

Data Privacy and Security Statement

Parent Bill of Rights for Data Privacy and Security

Educational Vistas, Inc. complies with and exceeds all expectations of Section 2-c and 2-d of the Education Law.

Physical Safeguards

Educational Vistas' programs and data are housed at TurnKey in Latham which is a secure data Center. TurnKey is a 24/7 monitored facility that restricts physical access to the servers. The servers are also appliance and firewall protected from outside access. There are only 3 of our technicians allowed into the data center and the data center is required to call our offices before granting anyone access to the servers. The center requires physical sign-in to the facility as well. Data is housed on multiple redundant load-balanced servers within the facility. Backed up data is encrypted and has to be restored to the data center before it can be used.

Encryption in Motion

The data center uses SHA-256 bit encryption along with *https://* to encrypt the data to and from the end points.

Encryption at Rest

Data at rest refers to data that is not moving, data on a drive, or backed up data. For example, this may be a file from a customer. Our internal policies restrict us from putting any client data on a laptop, or USB, or personal devices. Client data can only be accessed through the secure server. Any backed up data is encrypted and cannot be accessed without being restored to the data center.

Staff Training related to the Law(s)

Staff is instructed and trained to not store, remove, or share any customer data. We only use the customer's information in training the customer at the customer's site. Staff is trained on HIPAA Privacy, Security Rules, GLBA, which talks about safeguard procedures against fraud or identity theft and instruction about computer security, and FISMA (Federal Information and Security). We also comply with FERPA, which includes hiring contractors to minimize security risks. Every employee and contractor is required to sign a confidentiality agreement as part of their employment package.

Breach Plan and Notification Process

Our IT security company WLS monitors the servers for Security related Breaches. We require immediate Notification of any security breach so we can in turn immediately notify our clients that a breach has occurred, and what was breached. We have, to this date not had any security breach.

Process and Policy to restrict data access to only those with educational interest

The login and security policies within the program restrict access to the data to individuals that need access to the data. The district will specify to us who is allowed to access the information in the programs. The district also has the ability to change the level of access individuals have within the programs. Normal access is program dependent, e.g. teachers see own students, principals their building, etc. Educational Vistas can also use secure LDAP to allow the district's active directory server to provide an additional restriction on top of the security the programs provide.



INCREASING EFFICIENCY.
REDUCING COSTS.

Educational Vistas, Inc.

2200 Maxon Rd. Ext.
Schenectady, NY 12308
(518) 344-7022

Data Disclosure (Statement of Use)

Educational Vistas does not use client data. Client data is the property of the client. We do not share client information or client data with anyone. In our services to client district we use client data within the programs for many reasons. Examples would be: To show a teacher which students missed specific standards, print student answer sheets for assessments, build Teacher SLOs, spin assessment data by student for use for teacher driven professional learning, use disaggregated data to set target scores for the district, for the districts to do state reporting like the Civil rights reports, VADIRS, DASA, Discipline Reporting, parent communication templates or to assist setting initial RTI goals based on assessment scores.

Data return or destruction upon end of contract or contract termination

Educational Vistas will remove all customer data from our servers after receiving a written request from the customer to do so. We will also allow the customer to download extracts of the data before we remove it.

Security protocols related to any subcontractors

Subcontractors are required to adhere to the same level of security as our internal staff. We require contractors to sign documents stating they will safeguard the data and not use or share any of the districts data.

Ability to Challenge Data Accuracy

Much of the data we house comes from outside systems such as the district's Student Information System (SIS). We do have the ability to validate data on import to our system(s) and send email notifications to someone at the district that data may be missing that could cause inaccurate reporting to occur. Our Data Sync tool does this automatically if the district wants it. In the StaffTrac APPR system, where evidence can be entered by multiple users, the district can turn on the ability for the data to be user-, time-, and date-stamped. In the SafeSchoolsNY program, the system tracks who reported and who recorded each incident. The district also has the ability to change their own information in order to correct anything that is not accurate. We make it our priority to ensure data accuracy within the programs.

LUKAS J. CROWDER - CFO

(Authorized Representative)

(Signature)

SUPPLEMENTAL INFORMATION

Complete the chart below with information required to post about the contract, along with our parent bill of rights.

SUPPLEMENTAL INFORMATION ELEMENT	2-D	12T	SUPPLEMENTAL INFORMATION
The exclusive purpose(s) for which the student data or teacher or principal data will be used by the third-party contractor, as defined in the contract	3(c)	3(c)	To support and enhance the use of licensed products and services each year.
How the contractor will ensure that any other entities with which it shares the protected data, if any, will comply with the data protection and security provisions of law, regulation and this contract	3(c)	3(c)	EVI will not share any protected data with any other entities.
When the agreement expires and what happens to the protected data when the agreement expires	3(c)	3(c)	All data will be housed, secured, and maintained until such a time as the licensor requests its removal from our servers in writing.
If a parent, student, or eligible student may challenge the accuracy of the protected data that is collected; if they can challenge the accuracy of the data, describe how	3(c)	3(c)	All directives for the changing of data will come from the licensor's administrator(s) and not from Parents / Students directly. If contacted directly, EVI will refer all Parents / Students to the licensor.
Where the protected data will be stored (described in a way that protects data security), and the security protections taken to ensure such data will be protected and data security and privacy risks mitigated	3(c)	3(c)	Our servers are housed at Turnkey Internet - Data Center & Cloud Hosting Solutions, 175 Old Loudon Rd, Latham, NY 12110. This facility has 24/7 physical safeguards in place, along with redundancy measures and load balancing.
How the data will be protected using encryption.	3(c)	3(c)	SHA-256 Encryption