

# Exhibit G – Michigan State-Specific Terms

*This Exhibit G is incorporated into the Data Privacy Agreement (DPA) and modifies the DPA only to the extent required to comply with Michigan law.*

## 1. Compliance with Michigan Law

The Provider shall comply with all applicable Michigan laws governing student data privacy and security, including:

- **MCL 380.1136:** A law that protects pupil education records, prohibiting school officials, contractors, or other parties acting for a school under a service agreement from selling or providing personally identifiable information that is part of a pupil's education records to a for-profit business entity, and prohibiting the use of such information for marketing purposes.
- **MCL 445.63:** "Breach of the security of a system" means the unauthorized access and acquisition of data that compromises the security or confidentiality of personal information maintained by a person or agency.

## 2. Breach Notification

In accordance with **MCL 445.72**, if the Provider discovers a security breach:

- The Provider shall provide notice of the breach to the Local Education Agency (LEA) within seventy-two (72) hours of discovery, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the integrity of the system.
- Notice shall be given to each Michigan resident affected by the breach in accordance with the methods prescribed in **MCL 445.72(5)**, which include written notice, electronic notice (if consistent with federal law), or substitute notice as specified in the statute.

## 3. Data Retention and Destruction

Pursuant to **MCL 445.72b**:

- The Provider shall dispose of records containing personal information so that the information cannot be read or reconstructed when such records are no longer needed for the purpose for which they were collected. This includes shredding, erasing, or otherwise modifying the personal data to make it unreadable or indecipherable through any means.
- Data destruction shall occur within sixty (60) days after the termination, cancellation, expiration or other conclusion of the service agreement between the Provider and the LEA, unless otherwise specified in the agreement or the LEA provides written authorization for extended retention of specific data elements.
- If the LEA requests deletion of student data prior to termination of the agreement, the Provider shall comply with such request within a reasonable timeframe as mutually agreed upon by the Provider and LEA.
- The method of destruction shall be consistent with the requirements for proper disposal of records containing personal information as outlined in Michigan law.