




**New Hartford Central School
District**
33 Oxford Road, New Hartford, NY 13413

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

<p>Contractor/Company: Amplify Education, Inc.</p> <p>Representative Name and Title: Jennifer Fosegan, Account Executive</p> <p>Contractor Phone Number: (800) 823-1969</p>
<p>1. Describe the data that is being requested and/or stored: Please see attached Amplify mCLASS Schedule of Student Data. </p>
<p>2. Exclusive purposes of the use of the data:</p> <p>The purposes for which Amplify will use student, teacher, or principal data are described in Amplify’s Customer Privacy Policy, available at https://amplify.com/customer-privacy/.</p>
<p>3. Will any third-party subcontractors have access to the data? Yes</p> <p>If yes, how will you ensure that subcontractors, and any persons or entities that the third party subcontractor may share the data with, will abide by data protection and data security requirements: Amplify requires all subcontractors or other authorized persons with access to student, teacher, or principal data to agree in writing to abide by all applicable state and federal laws and regulations. Additionally, as between Amplify and the educational agency, Amplify takes full responsibility for the actions of any such parties.</p>
<p>4. What happens to the data upon expiration of the agreement or relationship with the District? The Agreement will last for the time period described in the applicable purchasing document, unless earlier terminated in accordance with the Agreement. Student, teacher, or principal data will be returned or destroyed in accordance with whichever is the sooner of 1) the period necessary to fulfill the purposes outlined in Amplify’s Customer Privacy Policy and the Agreement, 2) applicable state and federal laws and regulations, or 3) the educational agency’s option and direction.</p>
<p>5. How would a parent, student, eligible student, teacher or principal challenge the accuracy of the data that is collected or stored? A parent, student, eligible student, teacher or principal may contact the educational agency directly to discuss the correction of any such erroneous information. If Amplify receives a request to review student data in Amplify’s possession directly from such a party, Amplify agrees to refer that individual to the educational agency and to notify the educational agency within a reasonable time of receiving such a request. Amplify agrees to work cooperatively with the educational agency to permit a parent, student, eligible student, teacher or principal to review student, teacher, or principal data that has been shared with Amplify and correct any erroneous information therein.</p>

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?

Amplify leverages Amazon Web Services (AWS) as its cloud hosting provider. Further information regarding Amplify's security program can be found on Amplify's Information Security page at <https://amplify.com/security>.



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 _____ Title _____ Signature _____

Company Name Amplify Education, Inc. Product Name: mCLASS DIBELS 8th
Edition _____

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.