

PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY

Olean City Schools 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, Olean City Schools 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/data-privacy-security/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 submit complaints about possible breaches of student data addressed. Complaints should be directed in writing to Olean City Schools Data Privacy Officer, 410 West Sullivan Street, Olean, New York 14760 or by using the form available at the following website: <https://www.oleanschools.org/Page/8316> Complaints may also be directed in writing to Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, New York 12234 or by using the form available at the following website: <http://www.nysed.gov/data-privacy-security/report-improper-disclosure>

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first written above.

Peter LaCasse

Authorized Vendor Signature

12/2/20

Date

Authorized Olean City Schools Signature

Date

VENDOR INFORMATION REGARDING DATA PRIVACY AND SECURITY

Vendor: Scientific Learning Corp

Product: Fast ForWord

Collects: ☒ Student Data ☒ Teacher or Principal Data ☐ Does not collect either

Educational agencies including Olean City School District are required to *post information about third-party contracts on the agency's website* with the Parents Bill of Rights. To that end, please complete the table below with information relevant to NYS Education Law 2-d and Part 121.3 of the Commissioner's Regulations. Note that this applies to all software applications and to mobile applications ("apps").

Part 1: Exclusive Purposes for Data Use

The exclusive purposes for which the student data (or teacher or principal data) will be used by the third-party contractor: Upon our collection of your personally identifiable information, the Company may use such personally identifiable information internally, separately or in combination with pre-existing information, for the following purposes: ☐ To provide any requested services limited to the educational context in which the information was provided; ☐ To troubleshoot problems with the Site, or any services, as requested; ☐ To customize your experience, content or homepage on the Site; or ☐ To enforce our Terms of Use

Part 2: Subcontractor Oversight Details – Select the appropriate option below.

- ☒ This contract has no subcontractors.
- ☐ This contract has subcontractors. As such, the third-party contractor will take the following steps to ensure that any subcontractors, assignees, or other agents who see, or receive, this protected data are contractually required to obey the same data protection and security requirements that the third-party contractor is required to obey under state and federal law:

Part 3: Contract Lifecycle Practices

The contract expires on _____ unless renewed or automatically extended for a term pursuant to the agreement. When the contract expires, protected data will be deleted by the contractor, via shredding, returning of data, mass deletion, and upon request, may be exported for use by Olean City Schools before deletion.

Part 4: Student Educational Records / Improper Disclosure

- A. For information on FERPA (Family Educational Rights and Privacy Act), which is the federal law that protects the privacy of student education records, visit the U.S. Department of Education FERPA website.
- B. A complaint or report of improper disclosure may be completed by submitting the Improper Disclosure Report form.

Part 5: Security Practices

- A. Protected data provided to the contractor will be stored: (include *where* and *how*)

Your personal information will generally be stored in the Company's databases, which are located in the United States. Our policy is to ensure that your information is always granted the same level of protection no matter where it is stored.

- B. The security protections taken to ensure data will be protected that align with the NIST Cybersecurity Framework and industry best practices include: Scientific Learning's data security and privacy policy and practices will be reviewed, no less than once every two years, to ensure that they are in conformance with all federal, state, and local laws applicable to the Educational Customer contract and the terms of each applicable Educational Customer Data Sharing and Confidentiality Agreement.

Part 6: Encryption Practices

- ☒ By checking this box, contractor certifies that data encryption is applied in accordance with NYS Education Law Section 2-d 5(f)(5).