

## **EXHIBIT A PARENTS BILL OF RIGHTS**

Attached hereto as Exhibit "A" is a copy of the New York Parents' Bill of Rights signed by  
**VENDOR.**

### EDUCATION LAW § 2-D BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY

Parents (includes legal guardians or persons in parental relationships) and Eligible Students (students 18 years and older) can expect the following:

1. A student's personally identifiable information (PII) cannot be sold or released for any commercial purpose. PII, as defined by Education Law § 2-d and FERPA, includes direct identifiers such as a student's name or identification number, parent's name, or address; and indirect identifiers such as a student's date of birth, which when linked to or combined with other information can be used to distinguish or trace a student's identity. Please see FERPA's regulations at 34 CFR 99.3 for a more complete definition.
2. The right to inspect and review the complete contents of the student's education record stored or maintained by an educational agency. This right may not apply to parents of an Eligible Student.
3. State and federal laws such as Education Law § 2-d; the Commissioner of Education's Regulations at 8 NYCRR Part 121, the Family Educational Rights and Privacy Act ("FERPA") at 12 U.S.C. 1232g (34 CFR Part 99); Children's Online Privacy Protection Act ("COPPA") at 15 U.S.C. 6501-6502 (16 CFR Part 312); Protection of Pupil Rights Amendment ("PPRA") at 20 U.S.C. 1232h (34 CFR Part 98); the Individuals with Disabilities Education Act ("IDEA") at 20 U.S.C. 1400 et seq. (34 CFR Part 300); protect the confidentiality of a student's identifiable information.
4. Safeguards associated with industry standards and best practices including but not limited to encryption, firewalls and password protection must be in place when student PII is stored or transferred.
5. A complete list of all student data elements collected by NYSED is available at [www.nysed.gov/data-privacy-security](http://www.nysed.gov/data-privacy-security), and by writing to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234.
6. The right to have complaints about possible breaches and unauthorized disclosures of PII addressed. Complaints may be submitted to NYSED at [www.nysed.gov/data-privacy-security](http://www.nysed.gov/data-privacy-security); by mail to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234; by email to [privacy@nysed.gov](mailto:privacy@nysed.gov); or by telephone at 518-474- 0937.
7. To be notified in accordance with applicable laws and regulations if a breach or unauthorized release of PII occurs.
8. Educational agency workers that handle PII will receive training on applicable state and federal laws, policies, and safeguards associated with industry standards and best practices that protect PII.
9. Educational agency contracts with vendors that receive PII will address statutory and regulatory data privacy and security requirements.

## **EXHIBIT B: SUPPLEMENTAL INFORMATION**

Pursuant to Education Law § 2-d and Section 121.3 of the Commissioner's Regulations, the Educational Agency (EA) is required to post information to its website about its contracts with third-party contractors that will receive Personally Identifiable Information (PII).

<b>Name of Contractor and Product</b>	Microsoft, Flipgrid
<b>Description of the purpose(s) for which Contractor will receive/access PII</b>	Flipgrid collects information to perform our Service under the Flipgrid Terms of Use and process this information in accordance with our privacy policy located at: <a href="#">Terms &amp; Privacy   Flipgrid</a>
<b>Type of PII that Contractor will receive/access</b>	Flipgrid receives and access information per our privacy policy located at: <a href="#">Terms &amp; Privacy   Flipgrid</a>
<b>Contract Term</b>	These Terms will remain in effect for the use of the Service.
<b>Subcontractor Written Agreement Requirement</b>	Contractor will not utilize subcontractors without a written contract that requires the subcontractors to adhere to, at a minimum, materially similar data protection obligations imposed on the contractor by state and federal laws and regulations, and the Contract. (check applicable option) <input type="checkbox"/> Contractor will not utilize subcontractors. <input checked="" type="checkbox"/> Contractor will utilize subcontractors.
<b>Data Transition and Secure Destruction</b>	Flipgrid performs data destruction and secure destruction per our privacy policy at: <a href="#">Terms &amp; Privacy   Flipgrid</a>
<b>Challenges to Data Accuracy</b>	Parents, teachers or principals who seek to challenge the accuracy of PII will do so by contacting the EA.
<b>Secure Storage and Data Security</b>	Please describe where PII will be stored and the protections taken to ensure PII will be protected: (check all that apply) <input checked="" type="checkbox"/> Using a cloud or infrastructure owned and hosted by a third party. <input checked="" type="checkbox"/> Using Contractor owned and hosted solution <input type="checkbox"/> Other:
<b>Encryption</b>	Information can be found at: <a href="#">Privacy &amp; Security Commitments to Schools – Flipgrid Help Center</a>

**SIGNATURE PAGE**

Microsoft	School District
Signature: <i>Deb McFadden</i>	Signature: <i>Scott Taylor</i>
Name: Deb McFadden	Name: <i>Scott Taylor</i>
Title: Head of Trust & Safety	Title: <i>SUPERINTENDENT</i>
Date: June 1, 2022	Date: <i>01-28-22</i>