North Collins Central School District

Signature

Scott Taylor   Superintendent
Printed Name and Title

07-21-21
Date

IMPACT APPLICATIONS, INC.

DocuSigned by:

Jim Gyurke

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Signature

Jim Gyurke   Chief Executive Officer
Printed Name and Title

Jul-21-2021
Date

Attachment A - The "New York Parents' Bill of Rights"

Pursuant to Education Law 2-d, parents, legal guardians, and persons in parental relation to a student are entitled to certain rights with regard to their child's personally identifiable information, as defined by Education Law 2-d. This document contains a plain English summary of such rights.

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 educational records maintained by the **DISTRICT**.

3. State and Federal Laws protect the confidentiality of personally identifiable student 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 review at the following website: http://www.p 12.nysed.gov/irs/sirs/documentation/NYSEDstudentData.xlsx.

   The list may also be made available by writing to:

   > Office of Information & Reporting Services
   > New York State Education Department
   > Room 863 EBA,
   > 89 Washington Avenue
   > Albany, NY 12234

5. Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed to:

   > **Data Protection Officer**
   > North Collins Central School District
   > P.O. BOX 740
   > North Collins, NY 14111

   > OR

   > Chief Privacy Officer
   > New York State Education Department 89
   > Washington Avenue Albany, NY 12234

   > Email: CPO@mail.nysed.gov

6. Each contract with a third-party contractor which will receive student data, or teacher or principal data will include information addressing the following:

   a. The exclusive purposes for which the student data or teacher or principal data will be used;

b. How the third-party contractor will ensure that the subcontractors, persons or entities that the third-party contractor will share the student data or teacher or principal data with, if any, will abide by data protection and security requirements;

c. When the agreement expires and what happens to the student data or teacher and principal data upon expiration of the agreement;

d. If and how a parent, student, a student over eighteen years of age, teacher, or principal may challenge the accuracy of the student data or teacher or principal data that is collected; and

e. Where the student data or teacher or principal data will be stored, and the security protections taken to ensure such data will be protected, including whether such data will be encrypted.

7. Third-party contractors are also required to:

a. Provide training on federal and state law governing confidentiality to any officers, employees, or assignees who have access to student data or teacher or principal data;

b. Limit internal access to education records to those individuals who have a legitimate educational interest in such records;

c. Not use educational records for any other purpose than those explicitly authorized in the contract;

d. Not disclose personally identifiable information to any other party without the prior written consent of the parent or eligible student, or unless required by statute or court order and the third-party contractor provides a notice of the disclosure to the New York State Education Department, board of education, or institution that provided the information no later than the time the information is disclosed, unless providing notice of the disclosure is expressly prohibited by the statute or court order;

e. Maintain reasonable administrative, technical, and physical safeguards to protect the security, confidentiality and integrity of personally identifiable student information in its custody;

f. Use encryption technology to protect data while in motion or in its custody from unauthorized disclosure as specified in Education Law 2-d;

g. Notify **DISTRICT** of any breach of security resulting in an unauthorized release of student data, in the most expedient way possible and without unreasonable delay;

h. Provide a data security and privacy plan outlining how all state, federal and local data security and privacy contract requirements will be implemented over the life of the contract;

i. Provide a signed copy of this Bill of Rights to **DISTRICT**, thereby acknowledging that they aware of and agree to abide by this Bill of Rights.

8. This Bill of Rights is subject to change based on regulations of the Commissioner of Education and the New York State Education Department Chief Privacy Officer, as well as emerging guidance documents.

A. Supplemental Information

SUPPLEMENTAL INFORMATION ELEMENT	SUPPLEMENTAL INFORMATION
Please list 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 (or list the section(s) in the contract where this information can be found)	ImPACT, an online concussion management tool for baseline and post-injury testing, measures visual and verbal memory, reaction time, and processing speed to help determine if a student (ages 12 and up) can safely return to activity.
Please list 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 (or list the section(s) in the contract where this information can be found)	Contractor will store and process protected data in accordance with industry standards, including appropriate administrative, physical, and technical safeguards, to secure protected data from unauthorized access, disclosure, alteration and use.
Please list when the agreement expires and what happens to the protected data when the agreement expires (or list the section(s) in the contract where this information can be found)	To the extent permissible by applicable law, upon request of Client, contractor will delete the protected data.
Please list how 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 (or list the section(s) in the contract where this information can be found)	A parent or guardian, student, teacher or principal can challenge the accuracy of the Data received by the Consultant by following applicable law (e.g., Family Educational Rights and Privacy Act).
Please list 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 (or list the section(s) in the contract where this information can be found)	All server infrastructure is housed in a secure datacenter facility, in a private locked rack. Only authorized users are allowed to access the environment. 24x7x365 video monitoring, multi-factor access system is in place, UPS, generator and fire protection systems all in place and tested routinely. Production facilities are in Pittsburgh, PA and Disaster Recovery is in Los Angeles, CA.
Please list how the data will be protected using encryption (or list the section(s) in the contract where this information can be found)	PII is encrypted at rest using AES 128-bit encryption. All database backup files are encrypted with AES 256-bit encryption prior to being transmitted from the database server. All data in transit between the end user and contractor systems are encrypted using HTTPS transactions, at the highest level of encryption negotiated by the end user's browser, a minimum of 128-bit.

B. Schedule of Data

Application Technology Meta Data	IP Addresses, Use of cookies etc.	x
	Other application technology meta data Specify:	
Application Use Statistics	Meta data on user interaction with application	
Assessment	Standardized test scores	
	Observation data	
	Other assessment data (specify): *Student Personality Assessments*	
Attendance	Student school (daily) attendance data	
	Student class attendance data	
Communication	Online communications that are captured (emails, blog entries)	
Conduct	Conduct or behavioral data	
Demographics	Date of Birth	x
	Place of Birth	
	Gender	x
	Ethnicity or race	
	Language information (native, preferred or primary language spoken by student)	x
	Other demographic information Specify:	
Enrollment	Student school enrollment	
	Student grade level	(optional)
	Homeroom	
	Guidance counselor	
	Specific curriculum programs	
	Year of graduation	
	Other enrollment information (specify):	
Parent/Guardian Contact Information	Address	(optional)
	Email	
	Phone	
Parent/Guardian ID	Parent ID number (created to link parents to students)	
Parent/Guardian Name	First and/or Last	
Schedule	Student scheduled courses	(optional)
	Teacher names	
Special Indicator	English language learner information	
	Low income status	
	Medical alerts	
	Student disability information	
	Specialized education services (IEP or 504)	
	Living situations (homeless/foster care)	
	Other indicator information(specify): *First Generation College Student*	

Student Contact Information	Address	(optional)
	Email	(optional)
	Phone	
Student Identifiers	Local (School district) ID number	
	State ID number	
	Vendor/App assigned student ID#	
	Student app username	
	Student app passwords	
Student Name	First and/or Last	x
Student In-App Performance	Program/application performance (typing program-student types 60 wpm, reading program-student reads below grade level)	x
Student Program Membership	Academic or extracurricular activities a student may belong to or participate in	
Student Survey Responses	Student responses to surveys or questionnaires	
Student work	Student generated content; writing, pictures etc.	
	Other student work data Please specify:	
Transcript	Student course grades	
	Student course data	
	Student course grades/performance scores	
	Other transcript data Please specify:	
Transportation	Student bus assignment	
	Student pick up and/or drop off location	
	Student bus card ID number	
	Other transportation data Please specify:	
Other	Please list each additional data element used, stored or collected by your application	***See below

***Required: ADD/ADHD diagnosis, Learning disability diagnosis, concussion within the last 6 months.

Optional: Received speech therapy, Attended special education classes, Repeated one or more years of school, Type of student, Current sport, position and level of Number of times diagnosed with a concussion, Number of concussions that resulted in – loss of consciousness, confusion, difficulty remembering events before / after injury, number of games missed as a direct result of concussions, Been treated by a physician for: headaches, migraine headaches, epilepsy/seizures, brain surgery, meningitis, substance/alcohol abuse, psychiatric condition (depression/ anxiety), Diagnosed with dyslexia, autism, Participated in strenuous exercise within the last 3 hours, Hours of sleep last night, Current medications.