

## Supplemental Information

Pursuant to Education Law § 2-d and § 121.3 of the Regulations of the Commissioner of Education, NYSED is required to post information to its website about its contracts with third-party contractors that will be provided Access to or receive Disclosure of Student Data and/or APPR Data.

**1. Name of Contractor:** BOCES Erie 1 C015308

**2. Description of the exclusive purpose(s) for which the Student Data and/or APPR Data will be used:**

Student data will be used for the purpose of evaluating district/educational organization needs, to set goals, monitor progress of goals and measure achievement of goals. Student data may also be used in support of data-based decision making within multi-tiered systems of support.

**3. Type(s) of Data that Contractor will be provided:**

Yes Student Data

No APPR Data

**4. Contract Term:**

Contract Start Date: 07/01/2024

Contract End Date: 06/30/2029

**5. Subcontractor use and written agreement requirement:**

Yes Contractor will use Subcontractors.

If Contractor plans to use Subcontractors, 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 this contract.

Yes Contractor agrees to bind its Subcontractors by written agreement.

**6. Data Transition and Secure Destruction**

Yes Contractor agrees that the confidentiality and data security obligations under this DPA will survive the expiration or termination of this contract but shall terminate upon Contractor's certifying, that Contractor and its Subcontractors:

- a. Are unable to Access any Information provided pursuant to this contract; and
- b. Securely transfer Disclosed Student Data and APPR Data to NYSED, or at NYSED's option and written discretion, a successor contractor in a format agreed to by the Parties; and
- c. Securely deleted and destroyed Disclosed Student Data and APPR Data.

## **7. Challenges to Data Accuracy**

Yes Contractor agrees that parents, eligible students, teachers, or principals who seek to challenge the accuracy of Student Data or APPR Data will be referred to NYSED and if a correction to data is deemed necessary, NYSED will notify Contractor. Contractor further agrees to facilitate such corrections within 21 days of receiving NYSED's written request.

## **8. Secure Storage and Data Security**

Please indicate where Student Data and/or APPR Data will be stored:

Yes Using a cloud or infrastructure owned and hosted by a third party.

Yes Using Contractor owned and hosted solution.

Other:

**Please describe how data privacy and security risks will be mitigated in a manner that does not compromise the security of the data:**

All staff accounts that have access to O365 have 16 character password complexity and MFA enabled. Our workstations and servers are running on CarbonBlack EDR. All staff trained on data protection with an annual refresher video. Attached to contract: Erie 1 BOCES #5674; Network Security and Confidentiality of Computerized Information and #5676 Privacy and Security for Student Data and Teacher and Principal Data and Administrative Manual Document #5674R System Security Guidelines.

## **9. Encryption requirement**

Yes Contractor agrees that Student Data and APPR Data will be encrypted while in motion and at rest.

## **10. Contractor Certification.**

Contractor certifies that Contractor will comply with, and require its Subcontractors to comply with, applicable State and Federal laws, rules, and regulations and NYSED policies.

Contractor's Name BOCES Erie 1 C015308