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:** NCS Pearson Inc

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

   Student demographic data will be provided to the Contractor for the purpose of it performing the following tasks for NYSED: conducting field testing, interim testing, and operational testing, analyzing field test and operational test results, and conducting standard setting. The Contractor will also be gathering student test result data in scoring students' responses to multiple-choice questions and determining students' scale score and performance level results.

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

   Yes Student Data

   No APPR Data

4. **Contract Term:**

   Contract Start Date: 08/01/2022

   Contract End Date: 10/31/2025

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.

`N/A` Using Contractor owned and hosted solution.

`N/A` 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 NYSED data will be stored in the AWS Cloud to provide consistent security
and availability for the NYSESLAT and NYSITELL Assessments. For secure data
transfer, Pearson employs HTTPS, an encrypted method of passing data over
the Internet via web-based systems. Transport Layer Security (TLS) works with
HTTPS to ensure the data is encrypted as it passes from our servers to the
client. Web-based services and application layer interface (API) calls use
industry-standard representational state transfer (REST) architecture to
appropriately constrain and control data as it passes between components
and across connections.
Pearson uses several systems to keep employees' computers and the data on
those computers secure. The internal Pearson network is isolated from the
public Internet by a layered firewall approach that creates a secure local area
network environment. Pearson laptops have a full disk encryption solution to
protect all data if the computer is lost or stolen. Some of Pearson's uses of
encryption are listed below:
• Secure FTP: for encrypting sensitive data files as they are moved
between Pearson and our customers
• HTTPS using TLS encryption on websites to protect data in-transit
• Virtual Private Networks (VPN) connections for secure access to the
Pearson network by Pearson personnel when accessing remotely
• Database Encryption to protect data at rest from unauthorized access
```

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 `NCS Pearson Inc`