

**APPENDIX S-1**  
**Attachment To Parents' Bill Of Rights**  
**For Contracts Involving Disclosure of Certain Personally Identifiable**  
**Information**

Education Law §2-d, added by Ch. 56 of the Laws of 2014, requires that a Parents' Bill of Rights be attached to every contract with a third-party contractor (as defined in the law) which involves the disclosure of personally identifiable information (PII) derived from student education records ("Student Data"), or certain teacher/principal information regarding annual professional performance evaluations that is confidential pursuant to Education Law §30212-c ("APPR Data"). Each such Contract must include this completed Attachment to provide specific information about the use of such data by the Contractor.

1. Specify whether this Contract involves disclosure to the Contractor of Student Data, APPR Data, or both. ***NYSED program office checks applicable box(es).***

- Disclosure of Student Data
- Disclosure of APPR Data

2. Describe the exclusive purposes for which the Student Data or APPR Data will be used in the performance of this contract.

***All 21<sup>st</sup> CCLC sub-grantees are required to report program and participant data annually for accountability purposes as per the Government Performance and Results Act (GPRA). Through this RFP, NYSED seeks to establish a statewide data collection and reporting system for its 21st CCLC program in order to establish consistent and efficient web-based collection and reporting of program and site-level data for use by program staff and management, State coordinators, Technical Assistance Centers (TACs), and the Statewide Evaluator. All of these entities have procurement contracts with NYSED and have signed S-1 Assurances that were submitted with their contract bids and that are part of their contracts with the State.***

3. Identify any subcontractors or other persons/entities with whom the Contractor will share the Student Data or APPR in the performance of this Contract, and describe how the Contractor will ensure that such persons/entities will abide by the data protection and security requirements of the Contract.

Subcontractors or other entities with whom the Contractor will share data:

***Bidder should specifically list in this section any/all subcontractors that will/may receive data.***

No subcontractor or other persons/entities will be used in the performance of this contract. Thus, student data will not be shared with any third parties.

***In the event the Contractor engages a Subcontractor or otherwise shares Student Data or APPR Data with any other entity, Contractor acknowledges and agrees that before any such data is shared with a Contractor or another entity, such party must agree in writing to be bound by the confidentiality and data protection provisions set forth in this Contract including, but not limited to, the "Data Security and Privacy Plan" set forth in Appendix R. Upon termination of the agreement between the Contractor and a Subcontractor or other entity, Contractor acknowledges and agrees that it is responsible for ensuring that all Student Data or APPR Data shared by the Contractor must be returned to Contractor or otherwise destroyed as provided in Paragraph 4 of the "Data Security and Privacy Plan" set forth in Appendix R.***

4. Specify the expiration date of the Contract and explain what will happen to the Student Data or APPR Data in the Contractor's possession, or the possession of any person/entity described in response to Paragraph 3, upon the expiration or earlier termination of the Contract.

Contract expiration date: ***Date entered by NYSED program office when RFP completed March 31, 2025***

***NYSED program office checks applicable box.***

Contractor agrees to return the Student Data or APPR Data to NYSED consistent with the protocols set forth in Paragraph 4 of the "Data Security and Privacy Plan" set forth in Appendix R.

Contractor agree to securely destroy the Student Data or APPR Data consistent with the protocols set forth in Paragraph 4 of the "Data Security and Privacy Plan" set forth in Appendix R.

5. State whether the Contractor will be collecting any data from or pertaining to students derived from the student's education record, or pertaining to teachers or principals' annual professional performance evaluation pursuant to the Contract, and explain if and how a parent, student, eligible student (a student eighteen years or older), teacher or principal may challenge the accuracy of the Student Data or APPR data that is collected. ***NYSED program office checks applicable box(es).***

Student Data

APPR Data

***Any challenges to the accuracy of any of the Student Data or APPR Data shared pursuant to this Contract should be addressed to the school, educational agency or entity which produced, generated or otherwise created such data.***

6. Describe where the Student Data or APPR Data will be stored (in a manner that does not jeopardize data security), and the security protections taken to ensure that the data will be protected, including whether such data will be encrypted.

***Bidder should detail in this section where data will be stored, what security measures will be in place, and whether electronic data is encrypted in motion and/or at rest.***

Student data for NYSED is stored on a dedicated server with Rackspace in a Dallas-Fort Worth area data center. Security and compliance of EZReports and all student data is managed by Rackspace through Rackspace Managed Security