



Data Privacy Plan And Parents' Bill Of Rights For Data Security And Privacy

Pursuant to Section 2-d of the Education Law, agreements entered between the {School} and a third-party contractor which require the disclosure of student data and/or teacher or principal data that contains personally identifiable information ("PII") to the contractor, must include a data security and privacy plan and must ensure that all contracts with third-party contractors incorporate the District's Parents' Bill of Rights for Data Security and Privacy.

As such, FourWinds Domestic & International Tours & Travel agrees that the following terms shall be incorporated into the contract for services ("the Contract") and it shall adhere to the following:

1. The Contactor's storage, use and transmission of student and teacher/principal PII shall be consistent with the District's Data Security and Privacy Policy and Parents' Bill of Rights for Data Security and Privacy and incorporated herein by reference.
2. Contractor shall not sell personally identifiable information nor use or disclose it for any marketing or commercial purpose or permit another party to do so.
3. The exclusive purposes for which the student data or teacher or principal data will be used under the contract are set forth in the **Description of Services** Paragraph of the Contract only for the term of the Contract as set forth in the **Term and Termination** Paragraph.
4. The Contractor shall maintain the following administrative, operational and technical safeguards and practices in place to protect PII, which shall align with the NIST Cybersecurity Framework, including:
 - a. PII data will be protected using encryption while in motion and at rest by ensuring all data is stored in encrypted dropbox folders for use only while necessary for requirements for the trip. This information shall be limited to medical, dietary restrictions and student names for the purposes of organizing meals and hotel stays.
 - b. PII will be stored in a manner as to protect its security and to mitigate any potential security risks. Specifically, all student data and/or teacher or principal data will be stored by storing all data in encrypted Dropbox synced folders. The security of this data will be

6800 Jericho Turnpike • Suite 120W • Syosset, NY 11791 • Tel. (516) 334-2400 • (800) 896-3858 • Fax (516) 334-2466

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ensured by ensuring all data is encrypted using 256 bit AES at transport and rest and all data is transferred over SSL/TLS protocols ensuring encryption in transit as well.

- c. Physical access to PII by individuals or entities described in paragraph 3 above shall be controlled as follows: All access is limited to FWTT employees. Access is limited to work-product use only and transfer of any information done to requisite vendors is limited to critical, need to know information.
2. The Contractor shall ensure that no PII is disclosed to employees, subcontractors, or other persons or entities unless they have a legitimate educational interest and only for purposes necessary to provide services under the Contract.
 - a. Contractor represents that it will not utilize any subcontractors or outside entities to provide services under the Contract and shall not disclose any PII other than as required pursuant to paragraph 6 below.
 - b. We will subcontract work for bus'ing and tour escorts. No private information will be provided to any subcontractor and all points of contact will be made through FWTT. These vendors have been vetted by requisite background checks as well regular checks on their US DOT status as well as yearly verification of insurance status.
5. Contractor shall ensure that all employees, subcontractors, or other persons or entities who have access to PII will abide by all applicable data protection and security requirements, including, but not limited to those outlined in applicable laws and regulations (e.g., FERPA, Education Law Section 2-d). Contractor shall provide training to any employees, subcontractors, or other persons or entities to whom it discloses PII as follows: Yearly training on privacy is provided to all FWTT staff as part of our SYTA (Student Youth Travel Association) CSTO (Certified Student Tour Operator) status.
3. Contractor shall not disclose PII to any other party other than those set forth in paragraph 4 above without prior written parental consent or unless required by law or court order. If disclosure of PII is required by law or court order, the Contractor shall notify the New York State Education Department and the District no later than the time the PII is disclosed unless such notice is expressly prohibited by law or the court order.
6. Upon expiration of the contract, the PII will be returned to the District and/or destroyed. Specifically, All files will be removed from our secure servers at the end of one year after the trip has completed. No physical copies will be created.

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7. The parent, student, eligible student, teacher, or principal may challenge the accuracy of the student data or teacher or principal data collected by the teacher who will be providing any necessary data to us.
8. The Contractor shall take the following steps to identify breaches or unauthorized releases of PII and to notify the District upon learning of an unauthorized release of PII.
 - a. Provide prompt notification to the District no later than seven (7) calendar days from date of discovery of a breach or unauthorized release of PII. Contractor shall provide notification to the District's data privacy officer by phone and by email.
 - b. Contractor shall cooperate with the District and law enforcement to protect the integrity of the investigation of any breach or unauthorized release of PII.
 - c. Where a breach or unauthorized release is attributed to the Contractor, the Contractor shall pay for or promptly reimburse the District for the full cost of such notification.
4. A complete list of all student data elements collected by the State is available for public review at <http://www.p12.nysed.gov/irs/sirs/documentation/NYSEDstudentData.xlsx>, or parents may obtain a copy of this list by writing to the 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 file complaints with the District about possible privacy breaches of student data by the District's third-party contractors or their employees, officers, or assignees, or with NYSED. Complaints to NYSED should be directed in writing to the Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany NY 12234, email to CPO@mail.nysed.gov.

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