



McCann, Sarah <smccann@wswebores.org>

Fwd: [Diffit] Re: NYS ED Law 2d Data Sharing & Confidentiality Agreement needed

1 message

DataPrivacyTeam, WSWHE BOCES <dataprivacyteam@wswebores.org>

Wed, Aug 14, 2024 at 8:43 AM

To: Sarah McCann <smccann@wswebores.org>

Do you know where this one stands?

----- Forwarded message -----

From: **Devin Alexander (Diffit)** <weloveteachers@diffit.me>

Date: Mon, Feb 5, 2024 at 2:56 PM

Subject: [Diffit] Re: NYS ED Law 2d Data Sharing & Confidentiality Agreement needed

To: DataPrivacyTeam, WSWHE BOCES <dataprivacyteam@wswebores.org>

Hi there,

Thank you for reaching out - we definitely want to make sure that your teachers can use Diffit in their classrooms. Diffit doesn't collect any student data or teacher/principal APPR data, so you can rest assured that we comply with Ed Law 2d.

We have been receiving a lot of custom Ed Law 2d DPA requests and we aren't staffed to quickly review and respond to them all. We've developed a standard form for districts (based on Eden CSD's agreement) that fulfills all the requirements of Ed Law 2d. I've attached that below - if you'd like this agreement to apply to your district, please fill out the blanks on pages 1, 4, 6, and 8 and return to me for us to sign.

Thank you for your consideration and let me know if you have any questions or feedback.



NY_Ed_Law_2-d_Data...
and_Confidentiality_Ag...
PDF

This email is a service from Diffit. Delivered by Zendesk

On February 2, 2024 at 4:38:20 PM UTC, DataPrivacyTeam, WSWHE BOCES dataprivacyteam@wswebores.org wrote:
Good morning,

As you may be aware, unlike other states, NYS Ed Law 2D enacted data privacy protection and data security compliance requirements as the responsibility of NYS school districts to add addendum agreements to any master

contract or click-wrap terms of service agreement. If a school district uses a Board of Cooperative Education Services, or BOCES, as their procurement agent for subscription contracts, then the Data Sharing & Confidentiality Addendum Agreements can be secured on their behalf for the contracted vendor service.

Diffit software and web-based services are used by one or more of our component districts in the 2022-2023 school year. Our goal is to ensure that the compliance requirements for NYS Ed Law 2D are in place for all vendor products & services, as quickly as possible, to continue agency or district use without disruption. We have reviewed your posted Privacy Policy.

For the product/services that collect, process, manage, store or analyze student personally identifiable information (PII), there will need to be a signed Data Sharing & Confidentiality Agreement w/ our agency in order to meet the compliance requirements of NYS Ed Law 2d and Part 121 of the Commissioner's Regulations as a part of the terms of service or contract renewal/procurement process. We are utilizing a regional 2d compliance approach that covers our WSWHE BOCES component districts and other subscribed districts rather than each district requesting individual compliance agreements. **Attached is a draft agreement that has been pre-approved by our legal team for your review and signature, which allows us to quickly finalize the supplemental agreements once signed by our vendors.**

Please let me know if I can clarify any questions in order to review our request.

Thank you for your assistance.

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