

## **Vendor Statement of Compliance Data Privacy and Protection**

This agreement is entered into between the Roseville City School District ("LEA" or "District") and \_\_\_\_\_ ("Service Provider") on \_\_\_\_\_ ("Effective Date").

**WHEREAS**, the LEA and the Service Provider entered into an agreement for Educational Technology services;

**WHEREAS**, the LEA is a California public entity subject to all state and federal laws governing education, including but not limited to California Assembly Bill 1584 ("AB 1584"), the California Education Code, the Children's Online Privacy and Protection Act ("COPPA"), and the Family Educational Rights and Privacy Act ("FERPA");

**WHEREAS**, AB 1584 requires, in part, that any agreement entered into, renewed or amended after January 1, 2015, between a local education agency and a third-party service provider must include certain terms;

**NOW, THEREFORE**, the Parties agree as follows:

### **Section I: General - All Data**

1. **PASSWORD SECURITY.** All passwords are considered secure. Vendors may not disseminate any passwords unless specifically directed by Educational or Technology Services management. Vendors will not provide information concerning Admin accounts (ROOT Admin, container Admin, local NT administrator or Domain administrator) or their equivalent to any persons. District personnel ONLY will disseminate this information. Vendors will never create "back door" or "generic" user accounts on any systems unless specifically directed to do so by LEA management.

Agree: Yes      No

2. **SYSTEM SECURITY.** Unauthorized access to or modification of District systems including file servers, routers, switches, NDS and Internet services is prohibited. Any attempt to bypass or subvert any District security system, both hardware, and software is prohibited.

Agree: Yes      No

3. **PRIVACY.** The vendor will adhere to all provisions of the Federal Family Educational Rights and Privacy Act (FERPA, 20 U.S.C. 123g), California Education Code and district policies regarding the protection and confidentiality of data. At all times, the vendor will consider all data collected in the course of their duties to be protected and confidential. Release of this data can only be authorized by Technology & Information Services management and state and federal law.

Agree: Yes      No

**Section I: General - All Data (Continued)**

4. **REUSE:** Vendors shall not copy, duplicate, sell, repackage or use for demonstration purposes any Roseville City School District data without the prior, written consent of Educational or Technology Services management.

Agree: Yes      No

5. **TRANSPORT:** Vendor must provide a secure channel (S/FTP, HTTPS, SSH, VPN, etc) for the District to "push" data to the vendor and to extract data as required. Vendors will not have direct access to District systems and will not "pull" data at any time.

Agree: Yes      No      N/A - Starfall does not collect or maintain student PII therefore there is no data to push or pull from Starfall

6. **EXTERNAL SECURITY:** Vendor must attach to this document reasonable evidence that their system is secure from external hacking and attacks. Devices such as firewalls and technologies such as NAT are the minimum requirements. Active IDS or similar technology is preferred.

Agree: Yes      No

7. **INTERNAL SECURITY:** Vendors must attach to this document reasonable evidence that their system is secure from internal hacking and attacks. Describe the interactions vendor personal (or their representatives) will have directly with District data. How is uploaded data from the District handled and processed? Who has access to this data? What happens to the data after the upload is complete? What security safeguards are in place to protected unauthorized access to District data? How are backup performed and who has access to and custody of the backup media? How long are backup maintained; what happens to the District data once the backup is "expired"? If any data is printed, what happens to these hard copy records?

Agree: Yes      No      N/A Starfall does not maintain or hold Student Personally Identifiable Information. Starfall does not maintain data specific to a school other than contact data for the purchaser. Therefore there is no data to inspect, no data to return, no data to destroy and no data to challenge. Contact data for purchaser will not be destroyed since it is part of required Starfall business records.

8. **DISTRICT ACCESS:** Vendor must provide a secure means (see Item 5 above) for the District to extract ALL data from the vendor system. This can either be an online extraction tool or a vendor-provided extract as needed by the District (not to exceed quarterly). Describe the means and format of the data (delimited, Excel, MDB, SQL Dump).

Agree: Yes      No      N/A - Starfall does not collect or maintain student PII therefore there is no data to extract

9. **TERMINATION:** Upon termination of this agreement as provided herein, the vendor will permanently delete all customer data from their system as allowed by state and federal law. Vendor may be required to certify the destruction of LEA data within 90 days of contract termination.

Agree: Yes      No      Starfall does not maintain or hold Student Personally Identifiable Information. Starfall does not maintain data specific to a school other than contact data for the purchaser. Therefore there is no data to inspect, no data to return, no data to destroy and no data to challenge. Contact data for purchaser will not be destroyed since it is part of required Starfall business records.

**Section II: AB1584 Compliance - Student Information Only**

1. Vendor agrees that the Roseville City School District retains ownership and control of all student data.  
Agree: Yes      No
  
2. Vendor must attach to this document a description of how student-created content can be exported and/or transferred to a personal account.  
Agree: Yes      No      N/A - Starfall does not maintain or hold Student Personally Identifiable Information or content. Starfall does not maintain data specific to a school other than contact data for the purchaser. Therefore there is no data to inspect, no data to return, no data to destroy and no data to challenge. Contact data for purchaser will not be destroyed since it is part of required Starfall business records.
  
3. Vendor is prohibited from allowing third-parties access to student information beyond those purposes defined in the contract.  
Agree: Yes      No
  
4. Vendor must attach to this document a description of how parents, legal guardians and students can review and correct their personally identifiable information.  
Agree: Yes      No      N/A - Starfall does not maintain or hold Student Personally Identifiable Information or content. Starfall does not maintain or hold student PII, therefore there is no data to inspect, no data to return, no data to destroy and no data to challenge.
  
5. Vendor will attach to this document evidence how student data is kept secure and confidential.  
Agree: Yes      No      N/A - Starfall does not maintain or hold Student Personally Identifiable Information or content. Starfall does not maintain or hold student PII, therefore there is no data to inspect, no data to return, no data to destroy and no data to challenge.
  
6. Vendor will attach to this document a description of procedures for notifying affected parents, legal guardians or eligible students when there is an unauthorized disclosure of student records.  
Agree: Yes      No      N/A - Starfall does not maintain or hold Student Personally Identifiable Information or content. Starfall does not maintain or hold student PII, therefore there is no data to inspect, no data to return, no data to destroy and no data to challenge.
  
7. Vendor certifies that student records will not be retained or available to a third party once the contract has expired or is canceled (See Page 2, Item 9).  
Agree: Yes      No      N/A - Starfall does not maintain or hold Student Personally Identifiable Information or content. Starfall does not maintain or hold student PII, therefore there is no data to inspect, no data to return, no data to destroy and no data to challenge.
  
8. Vendor will attach to this document a description of how they and any third party affiliates comply with FERPA.  
Agree: Yes      No
  
9. Vendor and its agents or third parties are prohibited from using personally identifiable information from student records to target advertising to students  
Agree: Yes      No

**Section III: SB 1177 SOPIPA Compliance - Student Information Only**

1. Vendors cannot target advertising on their website or any other website using information acquired from students.

Agree: Yes No

2. Vendors cannot create a profile for a student except for school purposes as defined in the executed contract.

Agree: Yes No

N/A - Starfall does not maintain or hold Student Personally Identifiable Information or content. Starfall does not maintain or hold student PII, therefore there is no data to inspect, no data to return, no data to destroy and no data to challenge.

3. Vendors cannot sell student information.

Agree: Yes No

4. Vendors cannot disclose student information unless for legal, regulatory, judicial, safety or operational improvement reasons.

Agree: Yes No

5. Vendors must attach to this document evidence of how student information is protected through reasonable security procedures and practices.

Agree: Yes No

N/A - Starfall does not maintain or hold Student Personally Identifiable Information or content. Starfall does not maintain or hold student PII, therefore there is no data to inspect, no data to return, no data to destroy and no data to challenge.

6. Vendors must delete district-controlled student information when requested by the District.

Agree: Yes No

N/A - Starfall does not maintain or hold Student Personally Identifiable Information or content. Starfall does not maintain or hold student PII, therefore there is no data to inspect, no data to return, no data to destroy and no data to challenge.

7. Vendors must disclose student information when required by law, for legitimate research purposes and for school purposes to educational agencies.


Agree: Yes No

N/A - Starfall does not maintain or hold Student Personally Identifiable Information, therefore there is no data to disclose.

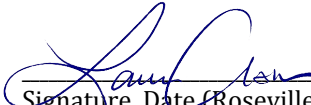
As an authorized representative of my organization, I accept the conditions listed in this document.

Karen Sutherland

Print Name

 09/28/2022  
Signature, Date

Print Name (Roseville City School District)

 9/29/2022  
Signature, Date (Roseville City School District)

## **EXHIBITS**

### **Section 1.6: External Security**

### **Section 1.7: Internal Security**

### **Section II.2: Exporting of Student-Created Content**

### **Section II.4: Review and Correcting Personally Identifiable Information (PII)**

## **EXHIBITS**

**Section II.5: Securing Student Data**

**Section II.6: Disclosure Notification**

**Section II.8: Family Educational Rights and Privacy Act (FERPA) Compliance**

**Section III.5: How Student Data is Protected:**



# Starfall®

## Privacy Policy

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*Last Updated: 5 May 2020*

Starfall Education Foundation (“we”) strives to create a safe and playful environment for all children. Throughout our services (collectively “services”) – the many Starfall Apps for mobile devices, the Starfall website for children ([www.starfall.com](http://www.starfall.com)), the Starfall Parent-Teacher Center™ ([teach.starfall.com](http://teach.starfall.com)), and the Starfall Store™ ([store.starfall.com](http://store.starfall.com)) – we adhere to a strict policy of respecting and protecting the privacy of our users.

**Starfall does not collect personal information from children or track children's progress.** Children do not provide personal information to access and use our services. The Starfall websites and apps directed toward children operate in accordance with COPPA and FERPA. Starfall does not display any advertising to children.

## Personal Information Collection and Use

We ask adult users (“you”) to provide information about themselves when logging in to the member portion of Starfall or when completing a purchase in our store. We do not ask for or collect information from children.

- **Basic Membership Information:** When you become a member of Starfall, you must provide general personal information such as your name, email address, and a password. We may again ask for this information when you login or when you make changes to your account.
- **Payment Information:** When you make a purchase, whether it is for an online membership or a physical product, we require billing and shipping information. This sensitive information is handled with the utmost care. We send payment information to a secure and nationally recognized payment processor using strong industry standard encryption. Once a purchase has been made we do not store credit card numbers, nor do we have access to credit card numbers through our payment processor. In order to provide customer service, we retain the details of a purchase, such as the payment date, the billing address, and the shipping address.
- **Use of Information:** We use the information we collect to operate, maintain and enhance the services we provide, as well as to communicate with you about your account or from time to time to send you emails about services or activities that may be of interest to you.

- **Third Parties:** We do not rent or sell your personal information to third parties. We do share or disclose your personal information with our trusted vendors, but only as needed to provide our services. These vendor services may include hosting, email delivery, and payment services.

## Technical Information Collection and Use

When you use Starfall on a computer or mobile device, we collect some basic technical information in order to customize your experience as well as to improve our services.

- **Cookies:** Like many websites, we rely on cookies (a small text file sent to your browser) to give us a better understanding of how many unique users we have and how they are using our site. We also use cookies to retain your preferences and remember the state of an activity such as an online shopping cart or service such as a membership login. We do not collect personal information through cookies.
- **Other Information:** We automatically receive and record information on our server logs from a user's browser, including a user's IP address. We may collect information about the browser, operating system, or mobile device being used, as well as information about geographic locations and patterns of usage. We keep these records so that we can analyze the 'big picture' of how our visitors use our site and to analyze any technical problems that could occur.
- **Use of Information:** We use the information collected to deliver content, support, track and enhance a user's experience of our services. For example, when a user returns to the services after logging in, cookies help us recognize that user without having to log back in. Additionally, by understanding usage trends, behaviors and preferences of our users, we can improve our services and develop new features and functionality.

## Updating Information and Disclosure of Information

Please contact us at [helpdesk@starfall.com](mailto:helpdesk@starfall.com) to update or delete your personal information. We may not be able to delete information in all instances, such as information retained in technical support logs and other business records.

Starfall may disclose information we have retained if we believe it necessary to comply with a legal process, law enforcement investigation, or government request. We may also divulge collected information in response to fraud or technical security issues or in matters of public safety. Any such disclosure will be tailored to disclose only the specifically requested information to the requesting authority.

## International Visitors and Use Outside the U.S.

Our services are operated and managed on servers located within the United States. If you are using our services outside the United States, you consent to having your information and data transferred to the United States for the purpose of performing the services according to our Terms of Service. If you are in any jurisdiction with laws or regulations governing internet use, including collection, use, and disclosure of personal data, different from those of the United States, you may only use our services in a manner that is



lawful in your jurisdiction. Please do not use our services if use of our services is unlawful in your jurisdiction.

This paragraph outlines our compliance with the General Data and Protection Regulation (GDPR) of the European Union and other applicable data protection laws. Starfall is the company that controls your data and is sometimes called the 'data controller' within the terms of the GDPR. We maintain records of all requests and our responses with respect to issues addressed in this Privacy Policy. Under the GDPR, we must maintain a data inventory and data flow mapping for compliance purposes. You have various rights under data protection laws and you have the right, without charge, upon verification of identity, to:

1. Request a copy of the personal information about you that we have
2. Correct any inaccuracies in personal data about you that we have
3. Withdraw your consent where we have requested your consent to process information
4. Delete personal information within legally prescribed limitations
5. Lodge a complaint with the appropriate public authority if you have any concerns about how we process or retain your data

If you have any questions or requests concerning these rights, please contact us at [helpdesk@starfall.com](mailto:helpdesk@starfall.com) and your inquiry will be responded to as soon as possible but within 30 days of our receipt of your request. We have appointed an internal Data Protection Officer for you to contact if you have any questions regarding our privacy policy or if you wish to exercise your data protection rights. Your first point of contact should be with our customer service team that can be contacted at [helpdesk@starfall.com](mailto:helpdesk@starfall.com). The Data Protection Officer for residents of the European Union may be contacted at [euprivacy@starfall.com](mailto:euprivacy@starfall.com).

## COPPA and FERPA

We do not collect personal information from children or track children's progress. Children do not provide personal information to use and access our services. The Starfall websites and apps directed toward children operate in accordance and are consistent with the Children's Online Privacy Protection Act (COPPA) and the Family Educational Rights and Privacy Act (FERPA).

## Security

Our servers are located in a secured, locked, and monitored environment. Data access is controlled by several firewall layers. Since no system is absolutely fail proof, we cannot guarantee the absolute security of your information. However, we employ physical, technical and administrative security measures designed to safeguard user information that follow or exceed industry standards.

## Advertising and Social Media

Starfall does not display any advertising to children on our websites or apps. We strongly believe that children should not be the targets of marketing efforts during their educational experience. Resources for grown-ups, specifically those found on the Starfall Parent-Teacher Center™ and the Starfall Store™, may

contain links to social media services, but are kept separate from children's activities and safeguarded behind a parent gate.

## Updates

We may make changes to this privacy policy from time to time and will notify you of changes by posting the revised privacy policy with an updated date of revision on our websites. If we change this privacy policy in a material manner, we will do our best to notify you of the changes by posting a notice on our websites. Your continued use of our services following the effective date of such update constitutes your acceptance of the revised policy.

## Contact Information

Please contact Starfall with any questions or comments.

By email: [helpdesk@starfall.com](mailto:helpdesk@starfall.com)

By mail: Starfall Education Foundation, PO Box 359, Boulder, CO 80306

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Parent-Teacher Center v 3.4.5.0

