



## JEFFERSON COUNTY BOARD OF EDUCATION

October 24, 2023, Regular Business Meeting

Agenda Item: **XI.R.2. Recommendation for Approval of Amendment to the Data Privacy Agreement with ePrep, Inc**

Recommendation: Superintendent Martin Pollio recommends the Board of Education approve the attached Amendment to the Data Privacy Agreement with ePrep Inc. and authorize the superintendent to sign same.

Rationale: The Data Privacy Agreement details the type and limitations of shareable data, its appropriate use, and the responsibilities of each party. Data sharing will begin upon acceptance of this Agreement and will terminate when the services terminate. All procedures and processes will be FERPA compliant. Period, scope, and protections are also outlined in the attached Agreement. The Amendment to the ePrep CERT DPA is to add title NCLB/GAP and additional criteria on Exhibit B so data can be pulled and used as MAP data has been previously in high schools.

Submitted by: Robert Moore

Attachment

OK AS TO FORM  
AM H 10-11-2023

**AMENDMENT TO THE AGREEMENT BETWEEN EPREP, INC., AND JEFFERSON  
COUNTY BOARD OF EDUCATION**

THIS AMENDMENT TO THE AGREEMENT BETWEEN EPREP, INC. AND JEFFERSON COUNTY BOARD OF EDUCATION (hereinafter "Amendment") is entered by and between the Jefferson County Board of Education, a political subdivision of the Commonwealth of Kentucky doing business as the Jefferson County Public Schools (hereinafter "JCPS") with its principal place of business located at 3332 Newburg Road, Louisville, Kentucky 40218, and ePrep, Inc. (hereinafter "Contractor") with its principal place of business located at 51 Colony Road, Readfield, ME 04355.

WHEREAS, The Parties have entered into a Data Privacy Agreement between JCPS and Contractor effective July 1, 2023 (the "Agreement"); and

WHEREAS, the Parties wish to amend the scope of services to add additional products;

THEREFORE, the Parties wish to amend the Agreement to alter Description of Services and Schedule of Data.

This Amendment hereby amends Exhibit A of the Agreement to add the following item to Description of Services: NCLB/GAP.


This Amendment hereby amends Exhibit B of the Agreement by adding the attached Exhibit B such that the Agreement shall have one Exhibit B consisting of 2 separate schedules of data, one for NCLB/GAP and the other for all other titles.

All other provisions of the Agreement shall remain unchanged. This Amendment is the entire agreement of the parties regarding modifications of the Agreement provided herein, supersedes all prior agreements and understandings regarding such subject matter, may be modified only by a writing executed by the parties. The Agreement is ratified and confirmed in full force and effect in accordance with its terms, as amended hereby. In the event of any conflict between the terms of the Agreement and this Amendment, the provisions of this Amendment shall control.

This Amendment may be executed via electronic signature in one or more counterparts, each of which will be deemed an original, but all such electronic signatures and counterparts will together constitute but one and the same instrument.


IN WITNESS WHEREOF, the parties hereto have executed this Amendment to be effective as of October 25, 2023.

**Jefferson County Public Schools:**

By:   
Dr. Martin A. Pollio  
Superintendent

Date: 10/24/23

**ePrep, Inc.:**

By:   
Karl Schellscheidt  
Chief Executive Officer

Date:  
10/17/2023

**EXHIBIT “B”**

**SCHEDULE OF DATA**

<b>Category of Data</b>	<b>Elements</b>	<b>Check if Used by Your System</b>
Application Technology Meta Data	IP Addresses of users, Use of cookies, etc.	
	Other application technology meta data-Please specify:  browser user-agent	
Application Use Statistics	Meta data on user interaction with application	
Assessment	Standardized test scores	
	Observation data	
	Other assessment data-Please specify:	
Attendance	Student school (daily) attendance data	

	Student class attendance data	
Communications	Online communications captured (emails, blog entries)	
Conduct	Conduct or behavioral data	
Demographics	Date of Birth	
	Place of Birth	
	Gender	
	Ethnicity or race	
	Language information (native, or primary language spoken by student)	
	Student disability information	

Category of Data	Elements	Check if Used by Your System
	Other demographic information-Please specify:	
Enrollment	Student school enrollment	
	Student grade level	
	Homeroom	
	Guidance counselor	
	Specific curriculum programs	
	Year of graduation	
	Other enrollment information-Please specify:	

Parent/Guardian Contact Information	Address	
	Email	
	Phone	
Parent/Guardian ID	Parent ID number (created to link parents to students)	
Parent/Guardian Name	First and/or Last	
Schedule	Student scheduled courses	
	Teacher names	
Special Indicator	English language Learner information	
	Low income status	
	Medical alerts/ health data	

Category of Data	Elements	Check if Used by Your System
	Specialized education services (IEP or 504)	
	Living situations (homeless/foster care)	
	Other indicator information-Please specify:	
Staff Data	First and Last Name	
	Email Address	
	Staff ID number	
	Other information – Please specify	
Student Contact Information	Address	
	Email	
	Phone	



Student Identifiers	Local (School district) ID number	
	State ID number	
	Provider/App assigned student ID number	
	Student app username	
	Student app passwords	
Student Name	First and/or Last	
Student In App Performance	Program/application performance (typing program- student types 60 wpm, reading program- student reads below grade level)	
Student Program Membership	Academic or extracurricular activities a student may belong to or participate in	
Student Survey Responses	Student responses to surveys or questionnaires	
Student work	Student generated content; writing, pictures, etc.	

Category of Data	Elements	Check if Used by Your System
	Other student work data -Please specify:	
Transcript	Student course grades	
	Student course data	
	Student course grades/ performance scores	
	Other transcript data - Please specify:	
Transportation	Student bus assignment	
	Student pick up and/or drop off location	
	Student bus card ID number	

	Other transportation data – Please specify:	
Other	Please list each additional data element used, stored, or collected by your application:	
None	No Confidential Data collected at this time. Provider will immediately notify JCPS if this designation is no longer applicable.	