

DATA PRIVACY ADDENDUM TO EDGEAR SOFTWARE SERVICES/LICENSE AGREEMENT

This DATA PRIVACY ADDENDUM TO EDGEAR SOFTWARE SERVICES/LICENSE AGREEMENT (“Addendum”) amends that certain EDgear Software Services/License Agreement by and between EDgear of America Inc (“EDgear”) and Calcasieu Parish School District (“Licensee”), and any amendments or addenda thereto (the “Agreement”), to address requirements under federal and/or state law governing the protection of Personally Identifiable Information of students. All capitalized terms used but not otherwise defined in this Addendum shall have the meanings ascribed to them in the Agreement.

1. DEFINITIONS

- 1.1. “**Data Breach**” shall mean any instance in which there is, or there is a reasonable basis to conclude that there has been, unauthorized access to, or the unauthorized release of, the PII of a student of Licensee caused by EDgear Personnel.
- 1.2. “**EDgear Personnel**” shall mean any employee, officer, director, agent, affiliate, contractor, or subcontractor of EDgear.
- 1.3. “**Effective Date**” shall mean July 1, 2017.
- 1.4. “**Licensee Data**” shall mean all Licensee data that is in EDgear’s custody.
- 1.5. “**Mobile Device**” shall mean laptop computers, tablets, smart phones, and any other mobile computing devices.
- 1.6. “**Personally Identifiable Information**” or “**PII**” shall mean information about an individual that can be used on its own or with other information to identify, contact, or locate a single individual, including but not limited to the following:
 - (a) Any information that can be used to distinguish or trace an individual’s identity such as full name, social security number, date and place of birth, mother’s maiden name, or biometric records.
 - (b) Any other information that is linked or linkable to an individual such as medical, educational, financial, and employment information.
 - (c) Two or more pieces of information that separately or when linked together can be used to reasonably ascertain the identity of the person.
- 1.7. “**Portable Storage Medium**” shall mean portable memory devices, including jump or thumb drives, portable hard drives, and tape backup media.
- 1.8. “**Systems**” shall mean any EDgear computer system, network, or software that accesses, maintains, stores or transmits Licensee’s student PII, including computer systems or networks operated by EDgear contractors or subcontractors.