



K-3 LITERACY SCREENER AMPLIFY DATA SHARING AGREEMENT

WHEREAS, the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g and its implementing regulations codified at 34 C.F.R 99. 1 et seq. make personally identifiable student information in education records confidential and subject to certain exceptions, and prohibits the disclosure of such information to third parties,

WHEREAS, FERPA and its implementing regulations allow for an educational agency or institution to share personally identifiable student-level data with the Contractors performing work on their behalf,

WHEREAS, La R.S. 17:3914 allows for Local Educational Agencies to contract with a private entity for student and other educational services and release personally identifiable information pursuant to the terms of the Contract,

WHEREAS, the Louisiana Department of Education (hereinafter referred to as "State") and Amplify Education, Inc. (hereinafter referred to as "Contractor") have entered into a contractual arrangement for the K-3 Literacy Screener dated 11/1/2023 (the "Contract"), pursuant to which the Contractor will provide services to State and Local Educational Agencies (LEAs).

WHEREAS, the State designates the Contractor an authorized representative pursuant to FERPA 20 U.S.C. 1232g(b)(1)(c) and 34 C.F.R 99.31(a)(3).

WHEREFORE, the State and the Contractor do enter into this Agreement subject to the terms and conditions as specified herein.

1. Local Educational Agencies Stipulation

The Contractor acknowledges that local educational agencies (LEAs) in Louisiana submit student data directly to the Contractor. The Contractor hereby agrees to be bound, vis-à-vis any and all such Louisiana LEAs that unilaterally sign an addendum to this data sharing agreement, by all of the provisions of this Agreement with respect to any student data provided directly to the Contractor by such Louisiana LEAs.

2. Purpose of the Disclosure

The Contractor agrees to collect and use any student data disclosed to it pursuant to this Agreement solely for the purpose of delivering the service to the LEA pursuant to the Contract, and developing, implementing, administering, and reporting student level results to the Louisiana Department of Education for the statewide K-3 literacy screener, administered three times per year, as required by state law.



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3. Data

The State agrees to provide the Contractor with the following:

- Louisiana Secure ID
- First letter of the first name
- First three letters of the last name
- Day of birth
- Grade
- Gender
- Ethnicity/Race
- English Learner Status
- 504 Status
- Education Classification
- Test accommodations

LEAs that choose to opt into this agreement may choose to provide the following additional student data to the Contractor either directly or via the state identifier system vendor, eScholar:

- Full first name in place of first letter of the first name
- Full last name in place of first three letters of the last name
- Full birthday in place of day of birth

The State and LEAs reserve the right to withhold any of the foregoing data if determined, in their sole discretion, that disclosure of such data would violate any provision of state or federal law.

4. Confidentiality

This Agreement is entered into by Contractor and the State in accordance with the provisions of the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232(g), et seq., (FERPA) and La. R.S. 17:3914. The Contractor hereby acknowledges that all documents which include information contained in or derived from a student's education records are deemed confidential pursuant to FERPA and La. R.S. 17:3914 and therefore will not be disclosed by the Contractor to any third party except as permitted by the Contract.

The Contractor shall retain the original version of the student data at a single location and shall not make a copy or extract of the student data available to anyone except personnel who have a need for the student data to perform the services referenced in this Agreement or the Contract. The Contractor shall maintain the student data in hard copy or electronic form in an area that has limited access only to the Contractor's authorized personnel. The Contractor shall not permit removal of the student data from the limited access area. The Contractor will ensure that access to the student data maintained on computer files or databases is controlled by password protection. The Contractor shall establish procedures to ensure that the target student data cannot be extracted from a computer file or database by unauthorized individuals. The Contractor shall maintain all printouts, discs, or other physical products containing student-level