

## CONTRACTUAL CONSIDERATIONS

### ARE ONLINE CONFERENCING SOLUTIONS COMPLIANT WITH EDUCATION LAW SECTION 2-D?

**Data privacy and security obligations related to third-party contractors must be addressed by the district entering into a compliant agreement** with vendors to whom they are providing protected Personally Identifiable Information (PII). An agreement that covers the requirements defined by Ed Law 2-D must exist either directly between the school district and the product vendor, or, if the product is part of a service obtained through a BOCES CoSer, an agreement between that BOCES and the product vendor. District contracting procedures should be followed, and any agreements with third-party vendors should include the provisions required by law. **A vendor cannot achieve compliance unilaterally.**

**REQUIREMENT CATEGORIES RELATED TO THIRD-PARTY CONTRACTORS**

DATA SECURITY AND PRIVACY PLAN

CONFIDENTIALITY MAINTAINED

SUPPLEMENTAL INFORMATION FOR THE BILL OF RIGHTS

ADDITIONAL STATUTORY AND REGULATORY OBLIGATIONS

### HOW DOES YOUR DISTRICT ACQUIRE THEIR ONLINE CONFERENCING SOLUTION?

- **LEVERAGE CONTRACT VIA BOCES/RIC CoSER**
- **CONTRACT DIRECTLY WITH VENDOR PARTNER** (Contracts Below N/A)

## ONLINE CONFERENCING SOLUTIONS

All major online conference solutions have similar features, including: two-way video, text chat, telephone call-in capabilities, and screen sharing support. Each solution differs in the way accounts are managed and created and how online conferences are scheduled. Below is information related to how districts can procure these technologies. Erie 1 BOCES, Erie 2 BOCES, and Capital Region BOCES have partnered with the vendor community to negotiate contracts that include protective Education Law 2-D language. **Remember that vendors cannot achieve compliance unilaterally. Districts must leverage a procurement mechanism that includes a contract with protective language.**

### GOOGLE HANGOUTS



**ERIE 1 AGREEMENT**  
7710 Consortium, Ed Law 2-D Contract

- Requires district to sign the Google Opt-in Agreement through their local RIC.
- Available in the free G Suite for Education core services.

### MICROSOFT TEAMS



**ERIE 1 AGREEMENT**  
7710 Consortium, Ed Law 2-D Contract

- Requires district to procure licensing through their local RIC.
- Cost based on district FTE count for Microsoft Enrollment for Education (EES) Volume Licensing.

### CISCO WEBEX



**CAP BOCES AGREEMENT**  
Capital Region BOCES, Ed Law 2-D Contract

- Requires district to sign the CISCO Opt-in Agreement through Cap BOCES/NERIC.
- Cost based on district FTE count through participation in NERIC services.

### ZOOM VIDEO COMMUNICATIONS



**ERIE 2 AGREEMENT**  
Erie 2 BOCES, ED Law 2-D Contract

- Requires district to sign the Zoom Opt-in Agreement.
- Cost varies based on district participation in BOCES/RIC Distance Learning Services.