

The School Board of Brevard County, Florida

Student/Employee Data Confidentiality Agreement

This agreement is made by and between "The School Board of Brevard County, Florida" (CLIENT) and:

(VENDOR).

This agreement shall be governed by and construed in accordance with the laws of the State of Florida.

The intent of the agreement is to provide safeguards, in relationship to student and employee (as applicable), for data being stored, processed, reported, and/or transmitted in any format.

Federal Law and State statutes have been enacted to protect the privacy of educational records. The regulations include (but not limited to) are Florida Public Records Ch. 119, Florida Student and Parental Rights Ch. 1002, Family Educational Rights and Privacy Act (FERPA), Individuals with Disability Education Act (IDEA), Drug and Alcohol Patient Records Confidentiality Law, Richard B. Russell National School Lunch Act (NSLA), Health Insurance Portability and Accountability Act (HIPPA), Protection of Pupil Rights Amendment (PPRA).

The VENDOR warrants that the CLIENT'S data, whether electronic or hardcopy, will not be used, disclosed, or shared in any manner for any reasons by the VENDOR without written prior consent of the CLIENT. The VENDOR shall never use CLIENT'S data for commercial purposes.

The VENDOR shall not edit or engage in ongoing review or surveillance of CLIENT'S data. CLIENT'S data shall be utilized by the VENDOR only at the request of the customer, and such review shall be limited to matters that support the intent of the VENDOR'S contract, as agreed by the CLIENT. Upon termination of VENDOR'S contract, and if no contract language exists, the VENDOR shall destroy all CLIENT data.

If the VENDOR has a good faith belief that a student's or an employee's (as applicable) information included in the CLIENT'S data is causing harm to, or is interfering with the rights or property of, the VENDOR or its customers, then the VENDOR will request in writing that the CLIENT authorize release of such information to competent legal authorities.

ACCEPTED BY:

(CLIENT) The School Board of Brevard County, Florida

Signature: _____

Name: _____

Title: _____

Date: _____

(VENDOR)

Signature: _____

Name: _____

Title: _____

Date: _____