BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY -
SUPPLEMENTAL INFORMATION FOR CONTRACTS THAT UTILIZE PERSONALLY IDENTIFIABLE INFORMATION

Pursuant to Education Law § 2-d and Section 121.3 of the Commissioner's Regulations, the educational Agency (EA) is required to post information to its website about its contracts with third-party contractors that will receive Personally Identifiable Information (PII).

Name of Contractor	Blackboard T&L LLC _____
PII Declaration	**Does your organization/software collect student personally identifiable information (PII) or staff PII?** Examples of student PII: a. The student's name; b. The name of the student's parent or other family members; c. The address of the student or student's family; d. A personal identifier, such as the student's social security number, student number, or biometric record; e. Other indirect identifiers, such as the student's date of birth, place of birth, and Mother's Maiden Name; Examples of staff APPR PII: a. Teacher Id, Social Security Number, Employee Number, Biometric Record b. Name, Mother's Maiden Name, Parent's Name c. Birthdate, Place of Birth, Address d. Gender, Race, Salary ☐ IF YOUR ORGANIZATION/SOFTWARE DOES NOT COLLECT PII, CHECK THIS BOX AND SKIP TO THE BOTTOM, SIGN AND SUBMIT. If you collect the PII information above, please complete the remainder of this form.
Description of the purpose(s) for which Contractor will receive/access PII	The nature of the service requires Blackboard to process PII for its delivery. Blackboard only uses customer data for the delivery of the services and as explicitly permitted in the contracts with our clients. Please see our privacy Statement: https://www.blackboard.com/trust-center
Type of PII that Contractor will receive/access	Check all that apply: ☑ Student PII ☑ APPR PII

Contract Term	Contract Start Date 07/01/2026 Contract End Date 06/30/2027
Subcontractor Written Agreement Requirement	Contractor will not utilize subcontractors without a written contract that requires the subcontractors to adhere to, at a minimum, materially similar data protection obligations imposed on the contractor by state and federal laws and regulations, and the Contract. (check applicable option) ☐ Contractor will not utilize subcontractors. ☒ Contractor will utilize subcontractors.
Data Transition and Secure Destruction	~~Upon expiration or termination of the Contract, Contractor shall:~~ • ~~Securely transfer data to EA, or a successor contractor at the EA's option and written discretion, in a format agreed to by the parties~~**.** • ~~Securely delete and destroy data~~. **Please see Section 13 of Blackboard's DPA for our Company Policy.**
Challenges to Data Accuracy	~~Parents, teachers or principals who seek to challenge the accuracy of PII will do so by contacting the EA. If a correction to data is deemed necessary, the EA will notify Contractor. Contractor agrees to facilitate such corrections within 21 days of receiving the EA's written request.~~ **All of these requests would be directly with the Customer given their role as Controllers of the information. Blackboard cannot be responsible for the accuracy of the information under our Processor role.**
Secure Storage and Data Security	Please describe where PII will be stored and the protections taken to ensure PII will be protected: (check all that apply) ☑ Using a cloud or infrastructure owned and hosted by a third party. ☐ Using Contractor owned and hosted solution ☐ Other: Please describe how data security and privacy risks will be mitigated in a manner that does not compromise the security of the data: **Blackboard ensures that only authorized personnel have access to information systems and client data, and that client data is only accessed and used in a manner consistent with Blackboard's privacy and security policies.**
Encryption	Data will be encrypted while in motion and at rest.

CONTRACTOR'S DATA PRIVACY AND SECURITY PLAN

The Educational Agency (EA) is required to ensure that all contracts with a third-party contractor include a Data Security and Privacy Plan, pursuant to Education Law § 2-d and Section 121.6 of the Commissioner's Regulations. For every contract, the Contractor must complete the following or provide a plan that materially addresses its requirements, including alignment with the NIST Cybersecurity Framework, which is the standard for educational agency data privacy and security policies in New York state**. While this plan is not required to be posted to the EA's website, contractors should nevertheless ensure that they do not include information that could compromise the security of their data and data systems.**

1	Outline how you will implement applicable data security and privacy contract requirements over the life of the Contract.	**We have a dedicated Global Privacy Program that uses the high EU GDPR standards as global baseline to ensure we can meet our obligations and can assist our clients through their obligations under applicable data privacy laws. At Blackboard, data privacy and security are a top priority. Senior mgmt. oversees & supports our data privacy & security efforts through the Compliance Committee & the Security & Privacy Risk Council. Staff responsibilities are outlined in our data privacy policy.**
2	Specify the administrative, operational and technical safeguards and practices that you have in place to protect PII.	**Blackboard has implemented management controls, admission controls, entry and access controls, transmission, input, and order controls, as well as availability controls.** **Please refer to Annex B of our DPA for a detailed list of security measures Blackboard has in place for its products.**
3	Address the training received by your employees and any subcontractors engaged in the provision of services under the Contract on the federal and state laws that govern the confidentiality of PII.	All employees and contractors are required to review & acknowledge the information security policies at the start of employment. These policies clearly define expectations, obligations, and responsibilities of employees and contractors. Anthology provides security and privacy awareness training at the start of employment and refresher training on an annual basis.
4	Outline contracting processes that ensure that your employees and any subcontractors are bound by written agreement to the requirements of the Contract, at a minimum.	All employees and contractors are subject to confidentiality agreements and are required to review and acknowledge the information security policies at the start of the employment. As mentioned above, all employees must annually complete security and privacy awareness training.
5	Specify how you will manage any data security and privacy incidents that implicate PII and describe any specific plans you have in place to identify breaches and/or unauthorized disclosures, and to meet your obligations to report incidents to the EA.	Blackboard agrees to uphold our responsibilities under laws governing Personal Information and privacy including breach notification requirements. Blackboard has a documented and tested security response plan to ensure we can meet our obligations under applicable breach notification laws and our contractual notification obligations. The incident response process is tested regularly and is regularly updated. Security incidents will be notified subject to the terms of the Blackboard Data Processing Addendum.
6	Describe how data will be transitioned to the EA when no longer needed by you to meet your contractual obligations, if applicable.	Data is deleted (or upon request, returned) at the completion of the contract in accordance with the contractual commitments. Clients can export or archive their courses at any time on demand or they can request a bulk export of course based backups up to 4X per year.
7	Describe your secure destruction practices and how certification will be provided to the EA.	Upon request, data is deleted from the system following standard practices and the techniques detailed in DoD 5220.22-M ("National Industrial Security Program Operating Manual" and/or NIST 800-88 ("Guidelines for Media Sanitization") to destroy all customer data. A certificate will be provided upon request.
8	Outline how your data security and privacy program/practices align with the EA's applicable policies.	Providing services to 1000s of clients, we cannot accommodate individual client policies. Security commitments are addressed in Blackboard's Master Services Agreement and the Data Processing Addendum. Blackboard deploys security controls aligned with industry best practices.
9	Outline how your data security and privacy program/practices materially align with the NIST CSF v1.1	Blackboard has a robust product security program that is aligned to NIST standards and is certified to the ISO 27001 standard for information security management systems. As a cloud service provider entrusted with the security of client data, we have incorporated the ISO 27017 and ISO 27018 controls into our compliance framework. https://www.anthology.com/trust-center/security

Western Suffolk BOCES Education Law §2-d Bill of Rights for Data Privacy and Security

Parents (including legal guardians or persons in parental relationships) and Eligible Students (students 18 years and older) can expect the following:

1. A student's personally identifiable information (PII) cannot be sold or released for any Commercial or Marketing purpose. PII, as defined by Education Law § 2-d and the Family Educational Rights and Privacy Act ("FERPA"), includes direct identifiers such as a student's name or identification number, parent's name, or address; and indirect identifiers such as a student's date of birth, which when linked to or combined with other information can be used to distinguish or trace a student's identity. Please see FERPA's regulations at 34 CFR 99.3 for a more complete definition.

2. The right to inspect and review the complete contents of the student's education record stored or maintained by an educational agency. This right may not apply to Parents of an Eligible Student.

3. State and federal laws such as Education Law § 2-d; the Commissioner of Education's Regulations at 8 NYCRR Part 121, FERPA at 12 U.S.C. 1232g (34 CFR Part 99); Children's Online Privacy Protection Act ("COPPA") at 15 U.S.C. 6501-6502 (16 CFR Part 312); Protection of Pupil Rights Amendment ("PPRA") at 20 U.S.C. 1232h (34 CFR Part 98); and the Individuals with Disabilities Education Act ("IDEA") at 20 U.S.C. 1400 et seq. (34 CFR Part 300); protect the confidentiality of a student's identifiable information.

4. Safeguards associated with industry standards and best practices including, but not limited to, encryption, firewalls and password protection must be in place when student PII is stored or transferred.

5. A complete list of all student data elements collected by NYSED is available at www.nysed.gov/data-privacy-security/student-data-inventory and by writing to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234.

6. The right to have complaints about possible breaches and unauthorized disclosures of PII addressed. (i) Complaints should be submitted to: dpo@wsboces.org. (ii) Complaints may also be submitted to the NYS Education Department at www.nysed.gov/data-privacy-security/report-improper-disclosure, by mail to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234; by email to privacy@nysed.gov; or by telephone at 518-474-0937.

7. To be notified in accordance with applicable laws and regulations if a breach or unauthorized release of PII occurs.

8. Educational agency workers that handle PII will receive training on applicable state and federal laws, policies, and safeguards associated with industry standards and best practices that protect PII.

9. Educational agency contracts with vendors that receive PII will address statutory and regulatory data privacy and security requirements.

CONTRACTOR	
[Signature]	
[Printed Name]	Michael Pohorylo
[Title]	Chief Legal Officer
Date:	March 17, 2026

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