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Agora Cyber Charter School

Board of Trustees Policy

ONLINE EDUCATIONAL SERVICES POLICY

The Board of Trustees of Agora Cyber Charter School ("Charter School") provides computer network and Online Educational Services to enhance educational opportunities for Charter School students, employees, and the Charter School community. This policy details the Charter School's process for evaluating and approving online educational services prior to implementation. Specifically, Online Educational Services for the purposes of this policy include software, applications, and web-based tools provided by a third-party to the Charter School that students and/or their parents access via the Internet and use as part of attending the Charter School.

In using or accessing the Charter School's Technology Resources, users must comply with of state and federal laws to the extent applicable, including the Federal Children's Internet Protection Act (CIPA), 47 U.S.C. §§ 254(h) and (l) and the Neighborhood Children's Internet Protection Act (NCIPA), the 2008 Broadband Improvement Act, P.L. 110-385, Chapter 12 of Title 22 of the Pennsylvania Code, the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g), and any applicable implementing regulations. Please see the Charter School's Acceptable Use and Internet Safety Policy for more information.

Evaluating Agreements with Providers

It shall be the responsibility of the CEO in conjunction with the Director of Technology and Director of Curriculum, Instruction, and Assessment to review every proposed contract with Online Educational Service providers. Additionally, contracts with Online Educational Service

providers should be in writing and reviewed by the Charter School's solicitor prior to execution. Consistent with the U.S. Department of Education recommendations, the Charter School shall endeavor to include the following provisions in all contracts for Online Educational Services:

1. Security and Data Stewardship Provisions
2. Collection Provisions
3. Data Use, Retention, Disclosure, and Destruction Provisions
4. Data Access Provisions
5. Modification, Duration, and Termination Provisions
6. Indemnification and Warranty Provisions

Contracts for Online Educational Services include consumer-oriented "Click-Wrap" software that is acquired simply by clicking "accept" to the provider's Terms of Service. For these types of agreements, the CEO and the Director of Technology and Director of Curriculum, Instruction, and Assessment will develop and distribute annually the Charter School's procedures for downloading and using Click-Wrap software.

Education of Online Educational Services

The CEO in conjunction with the Director of Technology and Director of Curriculum, Instruction, and Assessment shall implement a program that educates students and staff about the Online Educational Services in use by the Charter School, as well as the processes in this Policy for approving new Online Educational Services.

The U.S. Department of Education established the Privacy Technical Assistance Center (PTAC) as a "one-stop" resource for education stakeholders to learn about data privacy, confidentiality, and security practices related to student-level longitudinal data systems and other uses of student data. PTAC provides timely information and updated guidance on privacy, confidentiality, and security practices through a variety of resources, including training materials and opportunities to receive direct assistance with privacy, security, and confidentiality of student data systems. More PTAC information is available on https://studentprivacy.ed.gov.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.