

Supplemental Information

Pursuant to Education Law § 2-d and § 121.3 of the Regulations of the Commissioner of Education, NYSED is required to post information to its website about its contracts and student data sharing with outside parties that will be provided Access to or receive Disclosure of Student Data.

1. **Receiver of student data:** New York State Office of Temporary and Disability Assistance (OTDA).
2. **Description of exclusive purpose(s) for which Student Data will be used:**
The exclusive purpose of identifying children who have been determined eligible for Summer EBT benefits as defined in 7 CFR Part 292 of the Summer Electronic Benefit Transfer (Summer EBT) program
3. **Type of data that OTDA will be provided:**
 - a. Student Data
4. **Term of MOU:**
 - a. April 2024 through April 2029
5. **Subcontractor use and written agreement requirement:**
 - a. OTDA will NOT use Subcontractors (circle one)

If OTDA plans to use Subcontractors, it will do so with a written contract that requires the Subcontractors to adhere to, at a minimum, materially similar data protection obligations imposed on OTDA by state and federal laws and regulations and this MOU.

- b. OTDA agrees to bind its Subcontractors by written agreement.

6. Data Transition and Secure Destruction

OTDA agrees that the confidentiality and data security obligations under this DPA will survive the expiration or termination of the MOU but shall terminate upon OTDA certifying that OTDA and its Subcontractors, if any:

- a. Are unable to Access any Information provided pursuant to this MOU; and
 - b. Securely transfer Disclosed Student Data to NYSED; and

c. Securely deleted and destroyed Disclosed Student Data.

7. Challenges to Data Accuracy

- a. OTDA agrees that parents and eligible students who seek to challenge the accuracy of Student Data will be referred to NYSED, and if a correction to data is deemed necessary, NYSED will notify OTDA. OTDA further agrees to facilitate such corrections within 21 days of receiving NYSED's written request.

8. Secure Storage and Data Security

Please indicate where Student Data will be stored:

____ Using a cloud or infrastructure owned and hosted by a third party.

☒ Using an NYS-owned, ITS managed and hosted solution.

____ Other:

Please generally describe how data privacy and security risks will be mitigated in a manner that does not compromise the security of the data:

Following NYS standards and policies, in addition to the NIST frameworks, OTDA and ITS will implement and maintain FIPS 140-2 validated encryption, employ strong passwords and multi-factor authentication where appropriate, employ role-based access control to ensure that only authorized users can access the data, perform regular backups and keep those backups encrypted, leverage defense in depth practices to include firewalls, IDS/IPS, and required physical and administrative controls.

9. Encryption requirement

- a. OTDA agrees that Student Data will be encrypted while in motion and at rest.

10. Certification

OTDA certifies that it will comply with and require its Subcontractors, if any, to comply with applicable State and Federal laws, rules and regulations, and NYSED policies regarding Student Data.