

2017-18 BOARD MINUTES REVIEW of TERMS OF SERVICE AGREEMENTS

Terms of Service Agreements w/ Vendors (Brad Somers – 2017 Retreat)

- Brad described the work that the Bozeman district is doing on TOS agreements and he sent the forms and process they are using for the review of the Board.
- There are many, many contracts out there that are very onerous. The concern is that the companies are not very concerned about their product/service producing personally identifiable information (creating a student record) violating student rights and placing the school district at a liability risk. The forms and process used in Bozeman has been reviewed by an attorney (Kris Goss) and approved their use.
- Discussed that these templates could be used as a META project and made available to other schools to deal appropriately with TOS agreements. This would provide a value-add opportunity for META if they were to pursue this. It would save time for teachers and reduce the liability on teachers for using the software and web tools they need to use in their classroom.
- Russ Hendrickson described how confusing this whole topic is for schools and believes that META could play the role of working with the state (OPI) to create a state-level solution and direction for TOS agreements so that a list of acknowledged Apps can be approved.
- Russ acknowledged that this could result in Apps being used in small schools all across the state being eliminated, causing hardship for those schools.
- This topic is a part of the Data Governance topic that is being considered by the SAM LPLP TLE.
- Discussed that this topic has been on the agenda with Colet Bartow at OPI and maybe that is the spot to begin with discussing this with the state.
- Board determined that META should get this information out on our website and take this info out to the META regions.
- A committee was formed to review this and make a determination of proceeding to contact OPI and other steps to make this topic understood widely. Brad Somers, Todd Lark, Russ Hendrickson will serve on the Terms of Service Committee.

Terms of Service Agreements (Vendors) Committee – Update

- Brad stated that a template is ready to go (MTSBA reviewed) - Do we want to tackle this as an organization? Talia suggested that major vendors can be looked at by META; smaller vendors looked at by individual schools.
- Brad stated this is a lot of work - Do we want to take time to look at this? Mark stated that this could be a META sponsored project through an RFP? Value Add to Membership? Talia stated she talked with a superintendent to see if this something that MASS should look at? Or OPI putting out a vetting process? She added that some members of MASS are onboard with this also.
- Brad described Bozeman's process for terms of service agreements with signature of the vendor and release forms with parents.

- Discussion will continue at the next META meeting - META board should have a process to be approved by March Membership Meeting. CoSN feedback will also be available at that time. Tabled until next meeting, March 19.

Consideration of META Board Process – Terms of Service Agreements – TOS Committee - Brad Somers, Todd Lark, Russ Hendrickson

Brad stated that they are in the early stages of discussing this process. Rich asked if TOS agreements are part of the TLE Seal. Brad confirmed that they are. He stated that it is imperative that teachers, parents, and students are trained in TOS Agreements. Brad mentioned that this could be a value add for Montana districts but it is a difficult process. Rich stated that technologists are responsible for not only information that comes into a district but also information that goes out. Rich asked if this is as a priority to the META board and the board members agreed that it is a priority. Mark suggested possibly hiring an outside entity to complete this process. This will be added to the May agenda to discuss further.

Further Discussion - Consideration of META Board Process – Terms of Service Agreements – TOS Committee - Brad Somers, Todd Lark, Russ Hendrickson

Brad reported that the process is just completing a one-year process. He feels it needs to be considered at a state level, if META wants to take it on. He suggested joining a national organization if META wants to move forward. The Terms of Service Agreement paperwork would be approved by state attorneys. Brad stated that teachers need to be part of a professional development training around reading terms of service agreements. Bozeman has an approved list of vendors who have signed their Terms of Service agreement and are safe for teachers to use. Glenn stated that he used Brad's Terms of Service agreement as an example and has had success with vendors signing Evergreen's agreement. Rich asked if the board thinks that this issue would fit within the cybersecurity best practices committee. The board agreed that the cybersecurity committee should continue this discussion. Brad will continue to work on the wording of the agreement using Bozeman's policy as an example. Rich stated that the committee may find that it needs to be offered at the SAM level instead of the META level. Everett stated that he has had difficulties with vendors changing their terms of service agreement. He would like a mechanism in place to pull the app when the vendor's Terms of Service change. The META document states that META's Terms of Service supercede the vendor's Terms of Service. Brad stated that individual states interpret federal requirements differently.