

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is entered into by and between the Colorado Department of Education ("CDE") and Teaching Strategies, LLC ("Contractor"). CDE and the Contractor are referred to individually as "Party" and collectively as "Parties." This MOU will become effective on the date of the last signature affixed to this document.

The purpose of this MOU is to clarify the responsibilities of CDE and the Contractor in relation to the use of *GOLD™ by Teaching Strategies®* ("*GOLD™*") for kindergarten readiness assessment in Colorado, and to describe new provisions that will be included in all kindergarten assessment contracts between the Contractor and Colorado school districts for the 2016–2017 school year. The measures outlined below are intended to mitigate privacy concerns and strengthen the security of information collected by Colorado educators as they use *GOLD™* for kindergarten assessment.

1. **By June 30, 2016 and thereafter, Contractor will encrypt PII Data at rest on central computing systems.** At a minimum, every instance of each child's first name, last name, and date of birth will be encrypted at rest. Backups and offline copies of data will also be encrypted, and no removable media, tape, or other portable devices will be used to transport data in an unencrypted form.
2. **During the 2016–2017 school year and thereafter, the parties will take the following measures to limit online documentation of kindergarten children's development and learning:**

Contractor will customize *GOLD™* for Colorado's kindergarten teachers ("User(s)") so that "off" is the default position of the feature that allows documentation including photographs and videos ("Documentation") to be uploaded and stored in *GOLD™*. Each User who is authorized to upload Documentation must follow an opt-in process to turn on the Documentation functionality. The process will require the User to collect the explicit written permission of every parent/guardian of every child in his or her class to upload Documentation. The Contractor will not be responsible for verifying User permissions.

3. **During the 2016–2017 school year and thereafter, Contractor will not provide CDE with access to any kindergarten data at the level of individual children.**
4. **For the 2016–2017 school year and thereafter, each Colorado district may utilize a version of *GOLD™* that includes a limited set of items that enables teachers to meet Colorado's minimal statutory requirements while maintaining the validity of the instrument. Individual teachers may use additional *GOLD™* items based on their district policies. The limited set will include the items highlighted below.**