



**ADDENDUM TO  
ATTENTION2ATTENDANCE® (A2A) SOFTWARE & SERVICES AGREEMENT  
Between  
SCHOOL INNOVATIONS & ACHIEVEMENT  
And  
DAVIS JOINT UNIFIED SCHOOL DISTRICT**

THIS ADDENDUM TO ATTENTION2ATTENDANCE® (A2A) SOFTWARE & SERVICES AGREEMENT (“Addendum”) is entered into this 6th day of February, 2020, by and between Davis Joint Unified School District (“District”), and School Innovations & Achievement, a California corporation (“SI&A”), each being a “Party” and collectively the “Parties.”

**WITNESSETH**

WHEREAS, the Parties have previously entered into an Attention2Attendance® (A2A) Software & Services Agreement effective July 1, 2019 (“Agreement”); and

WHEREAS, the Parties desire to amend Section 3 and the Exhibit Section of the Agreement as outlined below;

NOW, THEREFORE, it is mutually agreed by and between the Parties as follows:

1. Section 3 of the Agreement is hereby amended to include the following additional Section:

**3.9 Optional Email Notification.**

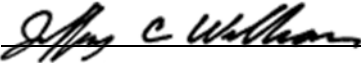
- a) During A2A Implementation, District can opt-in to send email notifications to parents and/or guardians. If a district decides to opt-in, an email notification will be sent to the parent(s) of each student that generates any type of attendance letter throughout the school year. The email is a simple notification the parent receives ahead of the physical letter that states “you will be receiving a letter in the mail re: your child’s attendance”. The District acknowledges emails will be sent via a third party provider “Vertical Response”. Per their data security policy, Vertical Response will not sell or rent this data and only the registered account holder “SI&A” can gain access to the uploaded lists. Vertical Response Data Security Policies are attached hereto as Exhibit F.
- b) Information provided to third party and included in the email:
  - Student First Name
  - Parent email address

2. The Exhibit Section of the Agreement is hereby amended to include the Attached Exhibit F.

3. In the event any provisions of this Addendum conflict with the provisions of the Agreement, the provisions of this Addendum shall control.
4. This Addendum, together with the Agreement, contains the entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior understandings and agreements with respect thereto. This Agreement and Addendum cannot be changed in any manner except by written agreement signed by the Parties hereto.
5. This Addendum may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission or in portable document format (pdf)) as against the Party signing such counterpart, but which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have affixed their hands effective as of the day and year first written above.

**SCHOOL INNOVATIONS &  
ACHIEVEMENT**

By   
Date October 1, 2019  
Name Jeffrey C. Williams  
Title Chief Executive Officer

**DAVIS JOINT UNIFIED SCHOOL  
DISTRICT**

By \_\_\_\_\_  
Date \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

**EXHIBIT F**  
**Vertical Response Data Security Policies**

Privacy Policy

**Deluxe Small Business Sales, Inc.**  
**Privacy Policy**

**Effective Date: May 7, 2019**

Your privacy is important to us. As a result, we've developed this Privacy Policy that provides a description of how we collect, use, disclose, transfer, and store your information, as well as your choices regarding use, access and correction of your Personal Data. Please take a moment to familiarize yourself with our privacy practices and let us know if you have any questions.

**I. Introduction & Notice**

**a. Introduction**

Deluxe Small Business Sales, Inc. ("Deluxe"), owns and operates, VerticalResponse.com ("VerticalResponse"), and makes reasonable efforts to protect the privacy of your Personal Data. This Privacy Policy was created to demonstrate our commitment to fair information practices. Our policies and procedures address applicable U.S. and international privacy requirements concerning the collection, use, and cross-border transfer of personal data.

This Privacy Policy covers the use of Personal Data that Deluxe collects when you visit and use **www.verticalresponse.com**. In the event that Personal Data is provided to us, whether in electronic, paper, or verbal format, it will be collected, used and disclosed by Deluxe in accordance with this Privacy Policy.

As described more fully below, Deluxe participates in and has certified its compliance with the EU-U.S. Privacy Shield and Swiss-U.S. Privacy Shield Frameworks as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of Personal Data from European Union member countries the United Kingdom and Switzerland, respectively. Deluxe has certified that it adheres to the Privacy Shield Principles of Notice, Choice, Accountability for Onward Transfer, Security, Data Integrity and Purpose Limitation, Access, and Recourse, Enforcement and Liability. If there is any conflict between the policies in this Privacy Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification page, please visit **<https://www.privacyshield.gov/list>**. With respect to personal data received or transferred pursuant to the Privacy Shield Frameworks, Deluxe is subject to the regulatory enforcement powers of the U.S. Federal Trade Commission. In certain situations, we may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements. Under certain conditions, more fully described on the Privacy Shield website **here**, you may be entitled to invoke binding arbitration when other dispute resolution procedures have been exhausted. Other than as described in this Privacy Policy, we will not disclose Personal Data about you to others without your express consent.

IF YOU DO NOT AGREE WITH THE TERMS IN THIS PRIVACY POLICY, DO NOT USE THE SERVICES AND SITES. CONTINUED USE OF THE SERVICES AND SITE.

#### **b. Definitions**

- **The terms "we", "our", and "us" in this Privacy Policy refer to Deluxe delivering the services and products herein.**
- **"You" means the individual to whom any given Personal Data covered by this Privacy Policy refers.**
- **"Personal Data" means any information relating to an individual that can be used to identify that individual either on its own or in combination with other readily available data.**

#### **c. Regulatory Oversight**

For this Privacy Policy and its content, Deluxe is subject to the investigatory and enforcement powers of the Federal Trade Commission (FTC). If Deluxe becomes subject to an FTC or court order based on non-compliance with this policy or EU-U.S. and Swiss-U.S. Privacy Shield frameworks, Deluxe shall make public any relevant Privacy Shield related sections of any compliance or assessment report submitted to the FTC, to the extent consistent with confidentiality requirements.

## **II. Collection of Personal Data**

Deluxe Sites collect different personal information based upon how you use them. The legal basis for us processing your Personal Data for these purposes are because the processing is: (i) necessary to fulfil the services you have requested; and / or because it is necessary for the purposes of our legitimate interests.

#### **a. Legal Basis for Collection**

The legal basis for us processing your Personal Data for the purposes described in this Privacy Policy are because the processing is: (i) necessary to fulfil the services you have requested; and / or (ii) because it is necessary for the purposes of our legitimate interests.

#### **b. Types of Personal Data Collected**

- **Customer Order Information: Name; Company Name; Mailing Address & Zip Code; E-Mail Address; Phone Number(s); Billing and Payment Information; Contacts List;**
- **Visitor Information: IP address**
- **Job Applicant Information: Contact Details; Resume; Prior Employment History**

#### **c. Information from Children**

The Site and its related services are directed at adults and businesses. We do not knowingly collect or use information provided from children under the age of 13. If we become aware of any collection of Personal Information from children, we will delete it immediately.

#### **d. Cookies**

As is true of most websites, we gather certain information automatically and store it in log files. This information may include Internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and/or clickstream data. We may combine this automatically collected log information with other

information we collect about you. We do this to improve the services we offer you, and to improve marketing, analytics, and/or site functionality.

We and our partners use cookies and similar technologies to analyze trends, administer the website, track users' movements around the website, and to gather demographic information about our user base as a whole. A cookie is a small data text file that our server sends to your computer and that your computer sends back to us each time you visit our website. Most Internet browsers automatically accept cookies. However, you can disable and/or delete cookies by controlling your browser settings. If you do disable cookies, our website will not recognize you and you will not be able to place an order or retrieve your order status.

We also partner with third parties to provide you advertising based upon your browsing activities and interests. Our third-party partners may use cookies or similar technologies in order to provide such advertising. If you wish to opt out of interest-based advertising click **here**, or if located in the European Union click **here**. Please note you will continue to receive generic ads.

- **Advertising Network Cookies for U.S. Customers**

If you are a U.S.-based customer, our business partners may place advertising network cookies in emails we broadcast on your behalf. The cookies contain pseudonymous information about email recipients to provide them with targeted advertising on websites. However, if email recipients wish to not have this information used for the purpose of serving targeted ads, they may opt-out by clicking **here**.

#### **e. Analytics**

The Sites use analytical data provided by Google Analytics. You can find out more about the types of analytical data and how that data is processed by visiting **<https://www.google.com/policies/privacy/partners/>**

### **III. Purpose & Use of Collected Personal Data**

VerticalResponse collects information from our users at several different points on our site. No registration is required to view the VerticalResponse site. However, if you choose to register or provide Personal Data on our newsletter sign-up, free trial, order forms, affiliate, partner and job application pages or other areas of our site, we will ask for information which may include your name, mailing address, email address, billing and payment information (e.g. credit card information), company name, and telephone number. We use this information to create new accounts, fulfill your order, communicate with you regarding our services, and manage our customer relationships. We may send you service-related announcements when it is necessary to do so. Generally, you may not opt-out of these communications, which are not promotional in nature. If you do not wish to receive them, you have the option to deactivate your account. For the purposes of order verification and fraud prevention, we may exchange information about our customers internally within VerticalResponse and among our affiliates.

- i. Information You Upload into Vertical Response VerticalResponse will not sell or rent this data and only the registered account holder can gain access to the uploaded lists**

- 1. Uploading Google Contacts** One feature we offer will allow you to upload your Google Contacts information directly into your VerticalResponse email marketing account using an integrated solution. Your contacts' email address and name (if available) will be loaded into your account for your email marketing campaigns. VerticalResponse does not access, use or share any Google user data uploaded to the registered users account. Google user data is stored on hosted servers in a secure data center.
- ii. Customer Testimonial** We post customer testimonials on our site which may contain personally identifiable information. We obtain the customer's consent via email prior to posting the testimonial along with the customer's name. If you wish to update or delete your testimonial, you can contact us at [info@verticalresponse.com](mailto:info@verticalresponse.com)
- iii. Public Forum** Our site offers publicly accessible blogs and community forums. You should be aware that any information you provide in these areas may be read, collected, and used by others who access them. To request removal of your Personal Data from our blog or community forum, contact us at [info@verticalresponse.com](mailto:info@verticalresponse.com). In some cases, we may not be able to remove your Personal Data, in which case we will let you know if we are unable to do so and why.
- iv. Tell-A-Friend** If you choose to use our referral/share service to tell a friend about our site, we will ask you for your friend's name and email address. We will automatically send your friend a one-time email inviting him or her to visit the site. VerticalResponse does not store this information and uses this information for the sole purpose of sending this one-time email.
- v. Survey** From time-to-time, we may provide you the opportunity to participate in surveys on our site. If you participate, we will request certain personally identifiable information from you. Participation in these surveys or contests is completely voluntary and you have a choice whether to disclose this information. The requested information typically includes contact information (such as name and shipping address), and demographic information (such as zip code). We use this information to monitor site traffic or personalize the site.

#### **IV. Information Retention & Accuracy**

We take reasonable steps to ensure that Personal Data we receive, process, or maintain is accurate, complete, and reliable for its intended use. We rely on the accuracy of the information provided directly to us but accept responsibility for the management and confidentiality of the Personal Data collected.

In general, we keep Personal Data only as long as we need it to provide you the services you requested. We may also process data on behalf of third parties who have engaged us. We keep personal information processed on behalf of third parties for as long as needed to provide services to third party in question. However, we reserve the right to retain Personal Data for any period required by law or to comply with our legal obligations, resolve disputes, and enforce our agreements. We maintain procedures for the secure disposal or destruction of Personal Data.

#### **V. Sharing of Personal Data & Accountability for Onward Transfer**

##### **a. Personal Data Disclosures**

There are a variety of circumstances where we may need to disclose Personal Data to:

- **A person who, in the reasonable judgment of Deluxe is seeking the information as your agent. For example, we may provide information about your account to your legal representative if we are satisfied that that individual is requesting the information on your behalf;**
- **Our parent company or affiliates to help us serve you better and provide you with requested services;**
- **A company or individual employed by us to perform functions on our behalf, such as support services, information technology development and support, customer service or data processing, and are authorized to use your Personal Data only as necessary to provide these services to us; and,**
- **A public authority, agent of a public authority or law enforcement agency if required by law.**

We will share randomized, aggregated demographic information about our users with third parties. This information is not linked to any Personal Data and cannot identify any individual person.

Deluxe may also disclose your Personal Data to any other third party with your prior consent.

Additionally, Deluxe may share your Personal Data, without your prior consent, for the limited purposes noted below:

#### **b. Subprocessors/Third Party Service Providers**

To provide and market our services, Deluxe uses subprocessors to perform functions such as:

- 1. Data Storage**
- 2. Marketing & Analytics**
- 3. Support**
- 4. Credit and payment Card Transactions**

We only share Personal Data with third party service providers to the extent necessary to provide the requested services. These companies are prohibited from retaining, sharing, storing or using the Personal Data for any secondary purposes. By contract, we hold our third-party service providers accountable for the privacy and security of personal information in accordance with our Privacy Policy and applicable laws and regulations. In such cases of onward transfer, we maintain liability for your Personal Data under the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks.

You have the choice to limit the use and disclosure of your Personal data. If you choose to limit the data to be used, simply do not disclose that information to Deluxe or use the Sites. In certain cases, limiting the use and disclosure of your Personal Data may impact functionality or prevent the use of Deluxe's products or services. When Deluxe does share your Personal Data with third party service providers and/or subprocessors, Deluxe will:

- 1. transfer such data only for limited and specified purposes;**
- 2. ascertain that the subprocessor is obligated to provide at least the same level of privacy protection as is required by these Principles;**

- 3. take reasonable and appropriate steps to ensure that the subprocessor effectively processes the Personal Data transferred in a manner consistent with the organization's obligations under these Principles;**
- 4. require the subprocessor to notify Deluxe if it makes a determination that it can no longer meet its obligation to provide the same level of protection as is required by these Principles;**
- 5. upon notice, including under (iv), take reasonable and appropriate steps to stop and remediate unauthorized processing; and**
- 6. provide a summary or a representative copy of the relevant privacy provisions of its contract with that subprocessor to the Department of Commerce upon request.**

Deluxe shall remain liable under the Principle of Accountability for Onward Transfer if its subprocessors process your Personal Data in a manner inconsistent with the Privacy Shield Principles, unless Deluxe proves that it is not responsible for the event giving rise to the damage.

### **c. Legal Obligations**

We cooperate with government or law enforcement officials and private parties to enforce and comply with laws applicable to our services. We will disclose information about you to government or law enforcement officials or private parties, as we, in our sole discretion, believe necessary or appropriate to respond to claims and legal process, to protect our property, and the property and rights of a third party, to protect national security, the safety of the public or any person, or to prevent or stop activity we consider illegal or unethical.

If you are visiting this website from a country other than the country in which our servers are located, your communications with us will result in the transfer of information across international boundaries. By visiting this website and communicating electronically with us, you consent to such cross-border transfers. In the case of data transfers from the EEA and Switzerland, the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks apply.

## **VI. Protection of Personal Data**

In order to protect your Personal Data and your right to privacy, Deluxe:

- Takes steps to protect information from loss, misuse, and unauthorized access, disclosure, alteration, and destruction**
- Maintains physical, electronic, and management procedures to safeguard information based on its sensitivity**
- Uses Secure Socket Layer (SSL) technology to protect sensitive data**
- Uses servers that are protected by firewalls, which are frequently updated to enhance security**
- Protects the confidentiality of Personal Data when dealing with third parties**
- Strives to keep Personal Data as accurate and up-to-date as is necessary for the purposes identified above**

We cannot guarantee the security of information on or transmitted via the Internet. We rely on various security procedures and systems to ensure the secure storage and transmission of



data, including encryption and authentication technology licensed from third parties, to effect secure transmission of confidential information.

## **VII. Limits to Your Privacy**

Our Sites contains links to other sites that are not owned or controlled by us. When you leave our website, we encourage you to read the privacy statements of each website that collects Personal Data. This Privacy Policy applies only to information collected by Deluxe Sites.

## **VIII. Choice Regarding Collection, Use & Distribution of Personal Information**

You can choose to opt-out whether your Personal Data is (i) to be disclosed to a third party or (ii) to be used for a purpose that is materially different from the purpose(s) for which it was originally collected or subsequently authorized by the individuals. In such an event, you will be only able to access public areas of the Sites. If you do not wish to receive promotional material from us, you may choose to "opt-out" each time we ask you for Personal Data. In certain cases, limiting the use and disclosure of your Personal Data may impact functionality or prevent the use of Deluxe products or services.

## **IX. Access & Correction**

We maintain processes or mechanisms to allow you to review, update, correct or delete Personal Data held by us. You may make changes to your account information, access, correct, or delete Personal Data held by VerticalResponse using any of the following methods:

- **visiting the MyLounge page on our site**
- **calling our toll-free telephone number at 1-866-6VERTICAL**
- **emailing Customer Support at [support@verticalresponse.com](mailto:support@verticalresponse.com) or**
- **writing to VerticalResponse:**

Attn: Account Updates  
50 Beale St, 10th Floor  
San Francisco, CA 94105

If you would like your account deactivated or deleted, please state this in your communication. We will respond to all requests within a reasonable timeframe.

## **X. Contacting Deluxe, Dispute Resolution, Arbitration & Cost**

Deluxe will address all questions, complaints or requests concerning this Privacy Policy within 30 days of receipt. Please see the applicable details below:

### **a. EU & Swiss Citizens**

In compliance with the EU-U.S. and Swiss-U.S. Privacy Shield Principles, Deluxe commits to resolve complaints about your privacy and our collection or use of your Personal Data. European Union and Swiss individuals with inquiries or complaints regarding this Privacy Policy should first contact Deluxe at:

Deluxe Small Business Sales, Inc.  
Attn: S. Carver, Privacy Compliance Manager, Privacy Program Office  
3680 Victoria Street N.

Shoreview, MN 55126  
United States of America  
Email: [privacyprogramoffice@deluxe.com](mailto:privacyprogramoffice@deluxe.com)

Deluxe has further committed to refer unresolved privacy complaints under the EU-U.S. and Swiss-U.S. Privacy Shield Principles to an independent dispute resolution provider. If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S.-based third party dispute resolution provider (free of charge) at <https://feedback-form.truste.com/watchdog/request>.

As noted above, under certain circumstances, more fully described on the Privacy Shield website (<https://www.privacyshield.gov>), if your complaint remains unresolved, you may be entitled to invoke binding arbitration when other dispute resolution procedures have been exhausted.

If you believe that our processing of your Personal Data infringes your rights under the General Data Protection Regulation, without prejudice to any other administrative or judicial remedy, you also have the right under Article 77 of the General Data Protection Regulation to lodge a complaint with a supervisory authority located in the EU Member State: (i) where you habitually reside; or (ii) where your place of work is located; or (iii) where the place of the alleged infringement took place.

If, after exhausting the above remedies your complaint is not satisfactorily addressed, you may, under certain limited conditions, invoke “last resort” binding arbitration before a Privacy Shield Panel.

#### **b. Non-EU/Non-Swiss Citizens**

Deluxe commits to resolve complaints about your privacy and our collection or use of your Personal Data. Non-EU/Non-Switzerland citizens with inquiries or complaints regarding this privacy policy should contact Deluxe at:

Deluxe Small Business Sales, Inc.  
Attn: S. Carver, Privacy Compliance Manager, Privacy Program Office  
3680 Victoria Street N.  
Shoreview, MN 55126  
United States of America  
Email: [privacyprogramoffice@deluxe.com](mailto:privacyprogramoffice@deluxe.com)

#### **c. Arbitration**

For information about Arbitration, please see our Terms of Service.

### **XI. Changes to Privacy Policy**

We reserve the right to modify this Privacy Policy at any time. If we decide to change our Privacy Policy, we will prominently post those changes here and any other place we deem appropriate, so you are always aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it. If we make any material changes, we will notify you by way of an email (sent to the email address associated with your account) or by means of a notice on this site prior to the change becoming effective. We will use

information in accordance with the privacy policy under which the information was collected.

We use a self-assessment approach to address compliance with this Privacy Policy, verifying periodically that the policy is accurate, comprehensive, and addresses the privacy requirements applicable to the markets we serve. Periodically, our operations and business practices are reviewed for compliance with corporate policies and procedures governing the confidentiality of information. These reviews are conducted by internal staff who report directly to the Deluxe Board of Directors, external auditing and accounting firms, and government regulators.