

**THIRD AMENDMENT TO SOFTWARE AGREEMENT
BETWEEN SCOREVISION
AND POUFRE SCHOOL DISTRICT R-1**

This Third Amendment (“Amendment”) dated the 23rd day of July, 2024 (“Effective Date”), is attached to and forms part of the Software Agreement between Poudre School District R-1 (the “District”) and ScoreVision (the “Contractor”), executed June 21, 2021, the First Amendment to the contract executed July 6, 2022 and the Second Amendment to the contract executed March 16, 2023, each of which are attached and made part of this Third Amendment. To the extent that any of the terms or conditions contained in this Third Amendment may contradict with any of the terms or conditions of the attached Agreement, the First Amendment or the Second Amendment (“Agreement”), it is expressly understood and agreed that the terms of this Amendment shall take precedence and supersede the attached Agreement. The parties agree to amend the Contract by adding the following language:

1. **Purpose of Amendment.** This amendment shall constitute the Amendment to the Agreement between the District and the Contractor. The purpose of this Amendment is to amend the terms and deliverables between the District and Contractor.

2. **Term of Agreement.**
 - 2.1. At the conclusion of the term dated July 31, 2024, as outlined in section 1.1 of the Agreement, the District and Contractor elect to extend the term of the Agreement beginning on August 1, 2024 through July 31, 2025.

3. **Amended Responsibilities.**
 - 3.1. Add Exhibit A with Contractor’s Poudre School District Student Data Request for Software Services, hereby attached to this Third Amendment and made part of this Agreement.

 - 3.2. Exhibit B-1 is deleted hereby in its entirety.

 - 3.3. Replace Exhibit B-1 with Contractor’s ScoreVision Quote # 16253, hereby attached to this Third Amendment and made part of the Agreement.

 - 3.4. Add Exhibit C with Contractor’s ScoreVision Accessibility Statement, hereby attached to this Third Amendment and made part of this Agreement.

 - 3.5. Within section 9, delete the language which has a strikethrough and replace with the following language which is underlined:

Poudre School District R-1
Attn: ~~Tracy Stibitz~~
2407 LaPorte Avenue
Fort Collins, CO 80521
E-mail: ~~tstibitz@psdschools.org~~

Poudre School District R-1
Attn: Contracts Administrator
2407 LaPorte Avenue
Fort Collins, CO 80521
E-mail: contracts@psdschools.org

4. **Special Provisions.**

4.1. **Terms and Conditions.** With the exception of items explicitly delineated in this Amendment, all terms and conditions of the original Agreement between the District and Contractor shall remain unchanged and in full force and effect.

5. **General Provisions.**

5.1. **Entire Agreement.** The original Agreement, the First Amendment, Second Amendment and this Third Amendment constitute the entire agreement of the parties regarding the subject matter addressed herein and supersedes all prior agreements, whether oral or written, pertaining to said subject matter.

5.2. **Signatures.** This Agreement may be executed and delivered via portable document format (pdf), and the pdf signature of any party shall be considered valid, binding, effective and an original for all purposes.

THE REMAINDER OF THIS AGREEMENT WAS INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the District and the Contractor have signed this Amendment as of the Effective Date.

SCOREVISION

POUDRE SCHOOL DISTRICT R-1

By: *Brent M. Sommer*

Brent M. Sommer
Chief Financial Officer

By: R David Montoya

R. David Montoya
Chief Finance Officer

By: Brandon Carlucci

Brandon Carlucci
Athletics Director

Exhibit A



Clear Form

STUDENT DATA INFORMATION REQUEST FOR SOFTWARE SERVICES

Colorado’s Student Data Transparency and Security Act [C.R.S. Section 22-16-101 et seq.] requires Poudre School District (PSD) to set forth certain contractual requirements before agreeing to the use of products that share student data. Due to the specificity of this language, PSD has opted to use its own contract to ensure compliance and alignment with the law and U.S. Department of Education recommendations regarding National Institutes of Standards and Technology Guidelines for Media Sanitization.

The law defines Student Identifiable Data as all items which are collected, maintained, generated, or inferred through use of the service, which includes metadata. This means any data element in the software’s data table that can be connected to a student must be transparently identified along with how the data will be used. Because this may be different from what the company has reported under the Family Educational Rights and Privacy Act (FERPA), the District recommends pulling the data table to include all data elements.

Please provide the following information to facilitate the contracting process:

- Detailed, formal description of product and scope of work to be completed.
 - Descriptions should not include wording such as “most used” or “used by X number of schools.”
 - Service descriptions should be detailed and free of sales language so it’s clear what’s being purchased.

ScoreVision software collects and displays, for public consumption at athletic events and other school activities, details for sporting events such as athletic competition scores, team rosters and athlete pictures. Any team rosters or pictures are uploaded into the software by school staff specifically for the purpose of displaying in association with athletic or other school events.

- What student data is collected through use of the system?
 - List all student data that’s collected, maintained, generated, or inferred through use of the service; this includes information created or collected by the company.

Team rosters and athlete pictures.

<i>Student</i>	<i>Teacher</i>	<i>Admin</i>	<i>Meta Data</i>
Team rosters			
Athlete pictures			

3. What is the purpose of collecting student data?

For public display at athletic competitions and other school events

4. What third parties does the company partner with who may receive student data in any format?

- *This includes storage and vendors receiving encrypted data.*

GCP for web and database hosting

5. What is the purpose of the third-party partners?

GCP for web and database hosting

6. Please provide:

- Current quote (if available)

\$9,998.00 per year

- Tiered pricing for future purchases

\$9,998.00 is the pricing per year for the first five years of service. 6/1/24 starts Year 3 of service, with the remaining two years billed on 6/1 of the subsequent years.

- Name and email for contract notices

Brent Sommer brent.sommer@scorevision.com

Amber Sutter amber.sutter@scorevision.com

- Name and title of person who will sign the contract

Brent M. Sommer, CFO

- Does the system allow integration for rostering?

Yes No

If the above answer is yes, how is it completed?

N/A

The following pages contain an example that will serve as a guide for the company's IT team; these items are known as data tables or data dictionaries.

PSD must have specific information from the company in a separate document, which will become an exhibit to the contract. Links to online privacy policies will not be accepted; these policies must be transparently identified in a static document.

What Student Data is collected through the use of the system?

Data Collected	General Purpose of Data Collection
Access Time	User research to improve the experience & provide technical support
Assessment Scores	Used for teacher data collection
Badges Earned	Used for teacher data collection
Browser Type	User research to improve the experience & provide technical support
Browser Version	User research to improve the experience & provide technical support
Contest Points	Used for teacher data collection
Device ID	User research to improve the experience & provide technical support
Device Type & OS	User research to improve the experience & provide technical support
Game Time Earned	Used for teacher data collection
IEP Progress Percentage	Used for teacher data collection
IEP Standards Passed	Used for teacher data collection
IP Address	User research to improve the experience & provide technical support
Lesson Questions Correct/Incorrect	Used for teacher data collection
Lesson Scores	Used for teacher data collection
Machine Model	User research to improve the experience & provide technical support
Operating System	User research to improve the experience & provide technical support
Placement test scores	Used for teacher data collection
School Address	Required to support product functionality
School Fax Number	Optional
School Leader Email Address	Optional
School Leader First & Last Name	Optional
School Leader Password	Optional
School Leader Role	Optional
School Name	Required to support product functionality
School Phone Number	Required to support product functionality
Standard Mastery Percentage	Used for teacher data collection
Standards Mastered	Used for teacher data collection
Student Answers on Lesson	Used for teacher data collection
Student First & Last Name	Required to support product functionality
Student Grade Level	Required to support product functionality
Student ID number	Optional

Student Password	Required to support product functionality
Student Username	Required to support product functionality
Teacher Email Address	Required to support product functionality
Teacher First & Last Name	Required to support product functionality
Teacher Password	Required to support product functionality
Time on Lesson	Used for teacher data collection
Time Spent in Subjects	Used for teacher data collection
Time Spent on individual problems	Used for teacher data collection

What third-parties does the vendor partner with? Who may receive Student Data in any format?

Vendor	URL	Description
Rackspace	rackspace.com	Web hosting
Amazon AWS	aws.amazon.com	Web hosting
Wormly	wormly.com	Alerts and monitoring
Realtime	framework.realtime.com	Cloud based realtime messaging
Twilio	twilio.com	SMS messaging
Sendgrid	sendgrid.com	Email delivery
Mailchimp	mailchimp.com	Email list management
Clever	clever.com	Student rostering
Edmodo	edmodo.com	Student rostering
Oneroster	oneroster.com	Student rostering
Freshdesk	freshdesk.com	Customer support
Google Classroom	developers.google.com/classroom	Student rostering
Salesforce	salesforce.com	CRM

Exhibit B-1

ScoreVision, LLC
11742 Stonegate Cir
Omaha, NE 68164 US



QUOTE

ADDRESS

Poudre School District R-1
Attn: Accounts Payable
2407 Laporte Ave
Fort Collins, CO 80521

QUOTE # 16253
DATE 02/01/2024

ACTIVITY	AMOUNT
Annual Software Subscription - July 1, 2024 through June 30, 2025 French Field	4,999.00T
Annual Software Subscription - July 1, 2024 through June 30, 2025 Timnath Middle/High (Prospect)) Stadium	4,999.00T
<hr/>	
Please make checks payable to ScoreVision, LLC and mail to: 11742 Stonegate Circle Omaha, NE 68164	SUBTOTAL 9,998.00 TAX 0.00 TOTAL \$9,998.00

Accepted By

Accepted Date

Exhibit C



ScoreVision Accessibility Statement

ScoreVision is dedicated to optimizing the usability of our software solutions. We take pride in the exceptional user-friendliness of our applications, which enable individuals of all ages to navigate them with ease. Moreover, we are committed to ensuring that our systems comply with the industry standards for accessibility, thereby making our applications accessible to diverse users.

To achieve accessibility compliance in our Cloud software (website), we have implemented — or are planning to implement by January 2024 — the following measures:

- **Clear and consistent navigation:** Our website has clear and consistent navigation menus that allow users to easily move from one page to another. All links and buttons are labeled clearly to ensure users can understand what they will be clicking on.
- **Keyboard accessibility:** Our website has been designed to be fully accessible using only a keyboard. Users who cannot use a mouse or other pointing device can navigate the site using only the keyboard.
- **Alt text for images:** We have added alt text to all images on our website to ensure that users who are visually impaired can understand what the images represent.
- **Descriptive links:** All links on our website are descriptive, providing users with an understanding of where the link will take them before they click on it.
- **Consistent color contrast:** We have ensured that all text on our website meets minimum color contrast requirements to make it easy to read for users with visual impairments.
- **Assistive technology compatibility for the Web:** Our website has been designed to be compatible with a range of assistive technologies, such as screen readers and voice recognition software.
- **Feedback:** We seek and welcome feedback from users to ensure that we are continually improving our products and their accessibility.

To achieve accessibility compliance in our mobile scoreboard controller apps, we have implemented the following measures:

- **Clear and consistent navigation:** Our mobile apps have clear and consistent navigation flows that allow users to easily move from one screen to another. All buttons and icons are labeled clearly to ensure users can understand their functionality.
- **Descriptive links:** All links within our mobile apps are descriptive, providing users with an understanding of where the link will take them before they tap on it.
- **Consistent color contrast:** We have ensured that all text and graphical elements within our touchscreen mobile app meet minimum color contrast requirements to make them easy to read for users with visual impairments.
- **Feedback:** We seek and welcome feedback from users to ensure that we are continually improving our products and their accessibility.

The areas of accessibility within our software solutions that are currently being enhanced and planned for implementation within the next 24 - 36 months are:

- **Assistive technology compatibility for Mobile Apps:** Our touchscreen apps will be updated to be compatible with a range of assistive technologies, such as screen readers and voice recognition software.
- **Captioned media:** All videos being added to our website (Knowledge Base) will be captioned, making them accessible to users who are deaf or hard of hearing.

Signature: Brandon Carlucci

Brandon Carlucci (Jul 24, 2024 15:46 MDT)

Email: bcarlucci@psdschools.org

Signature: *R David Montoya*

Email: davem@psdschools.org










ScoreVision - TMHS & French - Third Amendment ONLY- 2024-2025 - Final - Vendor Signed

Final Audit Report

2024-07-25

Created:	2024-07-24
By:	Becky Hall (rehall@psdschools.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAABAKObF5GbX7DhXIReQllwDHAohgM0MlqK

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-  Document created by Becky Hall (rehall@psdschools.org)
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-  Signer bcarlucci@psdschools.org entered name at signing as Brandon Carlucci
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