



### Memorandum of Agreement

This Memorandum of Agreement (“MOA”) is entered into by and between the \_\_\_\_\_ (“\_\_\_\_\_”) hereinafter referred to as “\_\_\_\_\_” and the Tennessee Department of Education, with offices located at Andrew Johnson Tower, 11<sup>th</sup> Floor, 710 James Robertson Parkway, Nashville, TN 37243, hereinafter referred to as “TDOE”.

#### 1. Project Overview and Statement of Work

It is the goal of the department that every student in Tennessee graduates high school prepared for postsecondary coursework and qualified for quality employment. To achieve this, high school students are encouraged to focus their elective credits on robust, career-aligned learning pathways.

For students focusing in career and technical education (CTE) through one of the programs of study in the 16 nationally recognized career clusters that the department promotes, robust learning pathways should culminate with the achievement of nationally recognized industry certifications, meaningful work-based learning experiences, and/or attainment of postsecondary credit hours through early postsecondary opportunities. As it pertains to industry certifications, all department-promoted certifications are aligned with postsecondary and employment opportunities and with the competencies and skills that students should have acquired through their chosen programs of study.

The purpose of this agreement is to share data about industry certification attainment and to be able to track how many students in Tennessee earn an industry certification upon high school graduation or immediately after high school graduation. It is the responsibility of \_\_\_\_\_ to send data to the TDOE about individuals who take and individuals who pass Tennessee promoted industry certifications, annually. This data is to be sent to the TDOE no later than August 1 of each year for the prior year information. It is the responsibility of the TDOE to match the data submitted from \_\_\_\_\_ to the student information on file to determine how many students in Tennessee graduate with an industry certification.

#### 2. Definitions

Wherever used in the MOA, the following words and terms will have the respective meanings ascribed to them as follows:

- 2.1. **Confidential Information** means any personally identifiable student information including that derived from education records as determined under FERPA. No student free and/or reduced price lunch data will be shared under this MOA.
- 2.2. **Reports** means any reports developed by \_\_\_\_\_ and accompanying materials. The types of reports and the data contained within these reports will be determined by \_\_\_\_\_ and TDOE.
- 2.3. **Data** means all information, records, files and data used by \_\_\_\_\_ and provided to TDOE. Data may include individual level Confidential Information.
- 2.4. **Third Party** means any person or organization other than \_\_\_\_\_.

- 2.5. **Industry Certification** refers to the certificate or credential issued by \_\_\_\_\_
- 2.6. **“Sat for”** refers to the individuals who actually took the certification exam as issued through \_\_\_\_\_
- 2.7. **Passed** refers to individuals who sat for and successfully completed the industry certification as issued through \_\_\_\_\_.
- 2.8. **CTE** means Career and Technical Education.
- 2.9. **Testing Site** means the location at which an individual sat for the industry certification.
- 2.10. **Testing Date** refers to the date the individual sat for the industry certification.
- 2.11. **Score/Certification Status** refers to the result of the individual’s performance on the industry certification.

**3. Period of Performance**

The Period of Performance of this MOA is September 1, 2020 to August 30, 2022 (“MOA End Date”). The MOA End Date may be extended only by mutual written agreement of the Parties.

**4. Dates and Types of Data Requested**

Data to be transferred pursuant to this agreement using a Data Return Template created by the TDOE:

4.1 We request that data for all individuals who could presumably attend a Tennessee public school for each attempt to earn the certification between August 1 and July 31 of the previous year (or previous to this agreement) be shared with TDOE no later than August 15. Data submitted should include the following (if available):

- First name
- Middle name
- Last name
- School name
- School District name
- County name
- Home address Home zipcode
- Birth month
- Birth day
- Birth year
- Social Security
- Testing Site
- Testing Date Score/Certification Status
- Certification date
- Certification valid date

**4.2 Certification Cut Score Document**

File created by TDOE and completed by \_\_\_\_\_ to identify subsection and certification cut scores and the duration that the cut score will be used.

## 5. Data Agreement

\_\_\_\_\_ agrees to send confidential data to TDOE, and to observe the following security provisions when transferring and reporting data. These provisions set forth are subject to Federal and State confidentiality laws, including the Family Educational Rights and Privacy Act (FERPA). The parties are responsible for ensuring that the required confidentiality of personally identifiable information is always maintained.

### *Transfer*

1.1 All data transfers will be encrypted with a minimum of 128 bits and uploaded to the TDOE secure server/Secure File Transfer Pathway (SFTP)

1.2 Additional modes of data transfer may be identified and requested over the duration of the MOA.

### *Outline of Data Flow*

1.3 A representative of \_\_\_\_\_ must sign this MOA along with the representative of the TDOE.

1.4 Data will be used for analyses that respect privacy and confidentiality of all concerned parties including individuals, students, teachers, classrooms, schools, districts, intermediate school districts and the State of Tennessee.

1.5 Data will be used for the purposes of identifying how many Tennessee students earn an industry certification.

### **[PARTY SIGNATURE(S)]**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_