

Clarion University of Pennsylvania

Use of Third-Party Hosted Products

Risk exists when university information (e.g., student names, student grades, faculty instructional material) is released and stored within third-party products (e.g., Pearson, Mc-Graw Hill, etc.) who have not entered into a contract with Clarion University of Pennsylvania.

- **University Information**

Faculty and/or staff may not store university information in a third-party product unless there is a signed contract in place between the product and Clarion University of Pennsylvania. **D2L Integrations:** Signed contracts must be in place before requesting a D2L integration; however, signed contracts do not ensure a D2L integration. Integrations require a series of processes including a review of technical requirements, coordination with the vendor, and then set-up and testing on Clarion's D2L 'test server'. Once the integration has been completely vetted, the 3rd party integration will follow the same process on Clarion's D2L 'production' environment. After the contract is in place, faculty should contact Computing Services with their request and anticipated implementation semester. Integration requests should be made two months prior to semester start. Requests will be reviewed and faculty will be notified of the project schedule.

- **FERPA (Family Educational Records Privacy Act)**

The Family Educational Rights and Privacy Act states that once a student registers at an institution of higher education (CUP) his/her educational record belongs to him/her. Faculty and/or staff may not store student records (e.g., grades, SS#, credit/debit card numbers, passwords/PINS, etc.) in a third-party product unless there is a signed contract in place between the product and Clarion University of Pennsylvania.

- **Intellectual Property**

Use of a third-party platform necessitates the transfer of intellectual property back-and-forth. Faculty and/or staff must not grant the third-party product permission and intent of use unless there is a signed contract in place between the product and Clarion University of Pennsylvania.

The Office of Procurement currently has signed contracts with the following Third-Party Vendors:

D2L - Desire 2 Learn (Learning Management System) (PASSHE - 4700003087)

Typhon - (Nursing)

Elsevier – (Nursing)

Chalk and Wire (Education) (CUP - 4000043864)

ALEKS (Math Placement Exam – McGraw-Hill) (CUP 4900000404)

Tucci Learning Solutions (Special Education) (CUP - 4700004056)

Zoom – (Videoconferencing Solution) (PASSHE - 4700003568)

Calipso – (CSD)

Labster (Online Science Lab)

If you do not see the Third-Party provider you are interested in on the list please contact Terry Pierucci at tpierucci@clarion.edu to vet the terms and conditions prior to entering into any agreement.

Frequently Asked Questions (FAQ)

Q. Why shouldn't faculty/staff personally enter into contracts with a third party provider?

A1. When faculty/staff enter into contracts personally with third party providers they are entering into a legally binding agreement as agents of Clarion University of Pennsylvania and thereby assume all risk and liabilities. For example, under university copyright law, faculty/staff own the materials they create for their courses. They cede this right when they enter into a contract with a third party provider.

A2. When faculty/staff enter into contracts with publishers, the bookstore is left out of the loop. The bookstore does not order the textbooks/access codes, and these materials are not in place at the beginning of the semester. This semester, several books/codes were unavailable to students because faculty worked directly with the publisher rather than with the bookstore.

A3. Some students who receive financial aid also receive Clarion University bookstore vouchers. These vouchers serve as zero-interest, short-term loans that fill the gap between the beginning of the semester and the actual disbursement of financial aid. Because these book vouchers are Clarion University loans, they can only be used at the University Book Store. Thus, our most needy students may be unable to purchase the required materials.

Q. The publishers' sales reps says that bypassing the bookstore makes the textbooks cheaper for students. Aren't we concerned about the costs of textbooks?

A1. Clarion University is required by the Department of Education to provide students with a list of the required materials for their courses, include retail costs and ISBNs. The purpose of the list is to provide students with the information they need to comparison shop for textbooks. If a faculty member has contracted directly with the publisher, then those textbook/codes will not appear on the list.

A2. 42.7% of our undergraduate students have NO credit cards (These data are from the 2017 Study of Collegiate Financial Wellness in which our students participated). This means that many of our undergraduate students will have difficulty buying textbooks directly from the publishers' websites.

Q. Who do faculty and/or students contact if they have a question or problem related to the 3rd party product?

A: Faculty support through Computing Services is limited to validating that the integration is functional. Faculty and students should contact the 3rd party product support line for all other questions.