

INNOVATEEDU PRIVACY POLICY

Effective Date: May 30, 2017

InnovateEDU (“InnovateEDU”) is committed to maintaining the privacy of student information. Through its online learning Cortex, InnovateEDU makes available personalized learning services that enable students to develop an individualized learning plan in coordination with their teachers and parents or guardians to achieve academic success.

InnovateEDU believes that students should drive their own learning, and that students, families, and their schools should remain in control of their information. To help keep student information private and secure, we abide by this Privacy Policy which is reviewed periodically.

We Limit the Student Information We Collect

InnovateEDU collects information from teachers, schools, students, and parents to effectively participate in and use Cortex.

We may collect the following kinds of information:

Information provided directly to us.

In order to provide and improve the Cortex, InnovateEDU may collect information directly from schools, including:

- Enrollment information
- Contact information, such as full name, phone, relationship, address and email address of parents or guardians;
- Student identification numbers;
- Program enrollments and classifications;
- Username and password;
- Course curriculum information;
- Students’ scores, grades, standardized test results, course progress information and coursework in audio, video, text, images, and other media; and
- User feedback, suggestions, questions, and ideas that students, parents, teachers, and schools provide to us.

Cortex collects information directly from your student, over the internet, in the form of the interactions that your student makes when participating in the programs contained within Cortex. We refer to the data resulting from such participation, which includes but is not limited to data on when your student starts and stops a lesson, the responses your student makes to questions asked, the timing of your student’s responses, your student’s choice of lessons to play as “Performance Data.” We will use Performance Data to (1) measure your student’s performance in each lesson within Cortex and to provide data for the school to adapt the programs to his or her learning needs and (2) improve Cortex and learning objects contained within the programs in Cortex. In addition, we may aggregate your student’s Performance Data with the Performance Data of other students participating in the Programs for marketing and other business related purposes. Aggregate information will be ANONYMOUS and will not identify your student or be combined with other information that would allow individual students to be identified.

Your schools will assign a password to access Cortex through a website or authentication service such as Google Apps, Microsoft 365, or Clever, and this password will be used to allow your student to use Cortex. Your password should be kept confidential. Your password will also allow you to review and change the information we collect.

Information we collect automatically.

InnovateEDU may also collect certain information automatically through Cortex, such as your Internet protocol (IP) address and other device identifiers that are automatically assigned to your computer or device when you access the Internet, browser type, operating system, Internet service provider, the date and time of your visit, information about the links you click and pages you view within Cortex, and other standard information.

We may use cookies, pixel tags, local storage, mobile identifiers, and similar technologies to automatically collect this information. By using Cortex, you consent to our use of cookies and similar technologies. If you choose to refuse, disable, or delete these technologies, some of Cortex functionality may no longer be available.

We Limit How Student Information Is Used

InnovateEDU will use the information collected (described above) as directed by the teacher or the school in connection with Cortex, including to:

- Operate, develop, analyze, evaluate, and improve the educational tools, features, products, and services;
- Communicate with school administrators and school designated user contacts – not students or parents;
- Maintain security;
- Conduct and perform troubleshooting; and
- Perform other activities requested by the schools designated Master Administrator or the District.

We do not use personally identifiable information from a student's education records for targeted advertising nor do we participate in targeted advertising of any kind.

We Believe in Limiting How Student Information Is Shared

InnovateEDU supports the involvement of parents and legal guardians in their child's education. Parents and legal guardians are encouraged to participate in their child's progress by using Cortex accounts created for their students by their school. Parents, legal guardians, and students can access and review their personal information through their Cortex accounts. They may also request correction or deletion of their personal information through the student's school who controls the entry and correction of all student data within the platform, who will, where appropriate, either make the changes themselves or, if necessary, submit the requests to InnovateEDU.

InnovateEDU WILL NOT sell, trade, or assign any unaggregated personal information that it collects to third parties outside of Cortex or the related services that Cortex uses. We, however, may aggregate the information that we collect from users of our website to create demographic and performance profiles regarding student's progress in Cortex. InnovateEDU may share aggregated information with marketing professionals or potential investors. This aggregated information will be compiled and reported only in such a way that individual student user data is unidentifiable.

As explained in Section I, InnovateEDU collects information from teachers, schools, and students. We may share information that we collect in the following circumstances:

- With teachers, school officials, and other users at the school with a legitimate educational interest in and a reasonable need to know the information;
- With parents and legal guardians authorized by the school;

- With third-party service providers and partners carrying out authorized school purposes as directed or authorized by the school. We require partners and service providers to employ reasonable and comprehensive data protection and security protocols;
- In connection with a corporate transaction, such as the sale of our Services, a merger, consolidation etc. In which case the successor will treat previously collected data in compliance with this privacy policy;
- As required or permitted by law, to respond to subpoenas, court orders, legal process, law enforcement requests, legal claims or government inquiries, and to protect and defend the rights, interests, safety, and security of InnovateEDU, users, or the public; and as otherwise directed or authorized by the school.

We Are Committed to Keeping Student Information Secure

InnovateEDU uses physical, technical, and administrative measures to help protect the security and confidentiality of the information and protect the student information we have from loss, theft, misuse and unauthorized access, disclosure, alteration and destruction. We maintain reasonable controls to restrict access to information to our employees, agents, partners, and service providers who require such access to perform their assigned duties. We also require partners and service providers to employ reasonable and comprehensive data protection and security protocols compliant with local, state and federal law.

The Services contain links to content and access to platforms maintained by third parties that InnovateEDU does not control. We are not responsible for the privacy practices of these third parties, and their practices are not covered by this Privacy Policy.

Please note that this Program is hosted in the United States. If you are visiting from the European Union or other regions with laws governing data collection and use that may differ from U.S. law, please note that you are transferring your personal data to the United States, which does not have the same data protection laws as the EU or other regions; by providing your personal data you consent to the use of your personal data for the uses identified above in accordance with this Privacy Policy and the transfer of your personal data to the United States as indicated above.

FERPA

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Cortex helps our School Customers be compliant with FERPA.

Specifically:

- Any sensitive online information is transmitted over secure channels
- All student data are stored in ways that are not publicly accessible
- Security audits are regularly performed to ensure data integrity

Cortex does not share information with any third parties that could be used to personally identify students. If a school requests that student data be sent to a third party, with parental consent, Cortex will send the data to the school and never directly to the third party.

If you would like more information about FERPA, please go to <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>.

Third Party Emails

Cortex will not send you unsolicited third-party promotional emails.

We Believe in Transparency and Want to Engage with You

InnovateEDU may update this Privacy Policy from time to time. When we update the Privacy Policy, we will revise the "Effective Date" date above, post the new Privacy Policy, and clearly indicate which section(s) have changed. We will notify the school and district by email regarding any material changes to our privacy and security practices. Please review all revisions to the Privacy Policy. Your continued use of our website(s) and the

Programs after the date InnovateEDU has emailed such notices will be deemed to be your agreement to the changed terms.

If you have any questions about this Privacy Policy or our practices, please contact us at cortexsupport@innovateedunyc.org.