



Inspire a Great Start for **Every Child**

WATERFORD INSTITUTE'S PRIVACY POLICY

Waterford Research Institute, LLC (“**Waterford**”), respects the privacy concerns of all users of our entire family of products, services, and software, including but not limited to *Waterford Early Learning*, *Classroom Advantage*, *SmartStart*, and *UPSTART*, our mobile app *MyBackpack*, and our websites www.waterford.org, www.waterfordupstart.org, [Waterford Help Site](#), and [Waterford Teacher Training Hub](#) (collectively “**Digital Media**”). Protecting any personal information, such as your name, student ID, grade, class, as well as optional identification information such as gender, email address, physical address, birthday, ethnicity, primary language, disability, special programs, and picture (collectively “**Personal Information**”) is important to us. We respect your privacy in handling all Personal Information relating to you and your transactions with us through our Digital Media. By using the “Digital Media”, you agree to the terms of this Privacy Policy.

Waterford is committed to compliance with all relevant EU and Member State laws with respect to personal data, and the protection of the “rights and freedoms” of individuals whose information Waterford collects and processes in accordance with the General Data Protection Regulation (GDPR).

When you provide Personal Information to us, in any way or through any medium (e.g., mobile app, website, or software), you are consenting to the manner in which Waterford may collect, use, disclose, and otherwise manage your Personal Information, which is set forth herein. IF YOU DO NOT AGREE WITH THIS PRIVACY POLICY AND THE TERMS SET FORTH HEREIN, YOU ARE NOT PERMITTED TO USE ANY OF WATERFORD’S DIGITAL MEDIA.

WATERFORD COMPLIES WITH THE [STUDENT PRIVACY PLEDGE](https://studentprivacypledge.org/).
(<https://studentprivacypledge.org/>)

Permission to Use the Digital Media. Waterford’s Digital Media is not intended or designed to be used by anyone under the age of 13 without proper consent and supervision. Waterford does not collect Personal Information from any person we know to be under the age of 13 without proper consent. Waterford and our Digital Media are compliant with the Children’s Online Privacy Protection Act (“**COPPA**”). Under COPPA, school officials can provide valid consent. Therefore, a teacher or school official provides consent for a child under the age of 13 when the teacher or school official creates student profiles. Student profiles contain basic personal information such as the student’s name, student ID, grade, and class. For more information about COPPA, visit [OnGuard Online](https://www.onguardonline.gov/).
(<https://www.onguardonline.gov/>)

If you are under 13 and do not have proper permission or consent, DO NOT USE THE DIGITAL MEDIA AND DO NOT SEND ANY PERSONAL INFORMATION. IF YOU ARE AT LEAST 13 YEARS OLD BUT NOT 18, DO NOT USE THE DIGITAL MEDIA UNLESS YOU ARE SUPERVISED BY A PARENT/GUARDIAN OR HAVE RECEIVED PERMISSION FROM YOUR PARENT/GUARDIAN.

DO NOT SEND US INFORMATION UNLESS YOU CONSENT TO THE APPLICATION OF U.S. LAW AND TO THE USE AND DISCLOSURE OF YOUR INFORMATION CONSISTENT WITH THIS PRIVACY STATEMENT.



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Collection of Personal Information. We may collect Personal Information that you voluntarily provide us when you register the Digital Media, create user profiles, log in to the Digital Media, access the Digital Media, utilize the Digital Media interfaces, or otherwise request certain information about the Digital Media or Waterford through a form of electronic communication.

We may also collect Personal Information about you from our third-party service providers (e.g., the Apple® App Store® or the Google Play™ store) who provide us with e-commerce and/or technical related services/support associated with the functionality and purposes of the Digital Media. Specifically, *MyBackpack* is downloaded from the App Store and may be subject to Apple's Privacy Policy and Terms and Conditions.

To set up our Digital Media, you may need to create districts, schools, and classes, as well as add teachers, administrators, and create student profiles. In these cases, you may be asked to provide the following information:

- District, school, class, administrator, and teacher names and contact information;
- Security information, such as usernames, passwords, and security questions;
- Student profile information such as name, unique student ID, grade, and class, and optional information such as gender, contact email, birthday, ethnicity, primary language, disability, special programs, and a student picture (student pictures help students log in and can be a picture of the student or an icon).

Other information we collect may include the following:

- social and contact information (e.g., address, email, phone number)
- geographical information (i.e., your location down to the city level) in order to map usage trends;
- basic technical data including your operating system, browser, network, and device type (desktop, tablet, or mobile phone) in order to optimize our Digital Media and your user experience;
- usage data including assessment scores, curriculum progress, usage time, activity start and end time, historical sessions, and time to load; and
- IP address in order to determine the frequency with which our visitors look at various parts of our sites and to administer our Digital Media. The IP address is also used to gather broad demographic information such as geographic distribution of our visitors and may be used to allow us to provide goods and services appropriate to your location of residence.

Other Uses of Personal Information. Waterford also uses Personal Information to continually assess and improve our Digital Media and the services we offer, including to enhance and personalize your user experience. To serve you better, we may combine the Personal Information that you give us with publicly available information and information we receive from, or cross-reference with, our technical analysts, data analysts, administrators, education providers, and others.



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Waterford never sells Personal Information to third parties, but it expressly reserves the right to disclose aggregated user statistics, such as “45 percent of our users are educators” or “5,000 members indicate an interest in science lessons,” as well as non-personally identifiable information (such as anonymous usage data), in order to describe our services to prospective partners, licensees, advertisers, and other third parties.

Special Events and Offers. We would like to inform you of new products, services, contests, promotions, or other special offers that might be of interest to you or benefit you from time to time (collectively “**Special Events and Offers**”). When you register through the Digital Media, you consent to receive communication about Special Events and Offers. In connection with Special Events and Offers, we may ask for contact information or demographic information. If you chose to participate, we will contact you when necessary and pursuant to the terms and conditions specified when you signed up for, or participated in, the Special Event or Offer. Any Personal Information gathered by Waterford is used solely by Waterford or other entities and affiliates that are involved in the Special Events and Offer. If you would like to stop receiving information about Special Events and Offers from Waterford, please see the “Privacy Preferences/Opt-Out” section of this Privacy Statement.

Third-Party Access to Personal Information. The Digital Media does not process any payments of any kind. When you make any payment to Waterford, you will be routed to a third-party website for processing. The third-party website will collect Personal Information as well as credit or debit card information for payment processing purposes. The third party may share Personal Information with its affiliates and with service providers whom they engage to perform services related to our Digital Media or the operation of our business.

Some of our other operations, such as website administration and technical support, may be managed by third parties unaffiliated with Waterford. These companies may have access to your Personal Information and may share Personal Information with their affiliates and with service providers whom they engage to perform services related to our Digital Media or the operation of our business. However, Waterford will only provide such access under protection of confidentiality agreements and commitments to comply with this Privacy Policy, including a prohibition against a third party from using Personal Information to engage in targeted advertising or for any purpose other than those identified herein.

Changes to Your Personal Information. Teachers and administrators who use our software can change personal and student information in the Waterford Manager. For schools using Clever integration, they should edit personal and student information within the school’s Student Information System to avoid their changes being overwritten during data synchronization.

Beyond resetting passwords, parents cannot change student information in our Digital Media. However, you may contact your school or district to update student profile information.

UPSTART participants can contact our customer support team to change Personal Information.



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Legal Proceedings. If Waterford or any of our service providers is requested by law enforcement officials or judicial authorities to provide Personal Information of individual customers, Waterford or the applicable service provider may, without your consent, provide such information. In matters Waterford reasonably deems to involve issues of personal or public safety, Waterford or the applicable service provider may provide your Personal Information to appropriate authorities without your consent or court process. Waterford or our service providers also will provide your Personal Information in response to a search warrant or other legally valid inquiry or order or to an investigative body in the case of a breach of an agreement or contravention of law or in litigation involving Waterford, the applicable service provider, or otherwise as required by law.

Privacy Preferences/Opt Out. If you wish to opt out from any of the aforementioned uses of Personal Information, except in the case of Legal Proceedings, please contact us via email at optout@waterford.org, subject line "Unsubscribe: Opt Out." Your subsequent disclosure of Personal Information nullifies any prior opt-out request. If you elect to opt out, your access to the Digital Media may be limited or eliminated.

California Resident Information-Sharing Disclosure Requests. If you are a California resident, you have the right to request one Notice of Information-Sharing Disclosure per year that will identify the third parties with whom Waterford or any of our affiliates (if any) has shared the Personal Information we have collected from you. You may request the Notice of Information-Sharing Disclosure by writing to us at Waterford, 1590 East 9400 South, Sandy, UT 84093, Attn: Privacy Manager. We will respond to your request for a Notice of Information-Sharing Disclosure within 30 days.

Users Outside the U.S. By visiting or using our Services, you consent to storage of your data on servers located in the United States. If you are using the Services from outside the United States, you consent to the transfer, storage, and processing of your data in and to the United States or other countries. Specifically, personal data collected in Switzerland and the European Economic Area ("EEA") is transferred and stored outside those areas.

By submitting your data or using our Services, you consent to this transfer, storage, and processing by Waterford Institute and its processors.

Cookies. The websites of our Digital Media use "cookies." A cookie is a tiny element of data that our websites can send to your browser, which may then be stored on your hard drive so we can recognize your computer when you return. Cookies also assist with performance of various aspects of the websites. You may set your Web browser to notify you when you receive a cookie. You may also set your Web browser to delete or block all cookies. However, if you decide to block or not accept cookies from our websites, you will limit the functionality we can provide when you visit our websites.

Security. We maintain appropriate administrative, technical and physical safeguards to protect Personal Data against accidental or unlawful destruction, accidental loss, unauthorized modification, unauthorized disclosure or access, misuse, and any other unlawful form of processing of the Personal Data in our possession consistent with the requirements set forth in Utah Code § 13-44-101 *et seq* and other applicable state and federal laws. Our security controls and risk management program and processes are designed to implement appropriate technological and organizational measures to ensure a level of security appropriate to the risks so that Waterford aligns with Article 32 of GDPR.

We are also committed to employing reasonable technology in order to protect the security of our Digital Media. However, even with the best technology, no website is 100% secure. Waterford's security measures include



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- Using industry-standard encryption to protect sensitive personal information,
- Storing Personal Information in secure operating environments that have limited authorized access,
- Requiring our website users to verify their identities with unique login information, and
- Using industry-standard SSL protocols for communication when Digital Media information is in transit.

For the safety of your Personal Information, we periodically audit our security procedures in order to implement new and appropriate technology and methods.

If we learn of a security systems breach, we will inform you and the authorities of the occurrence of the breach in accordance with applicable law.

Data Transfer: We may transfer, process and store Personal Data we collect through the Services in centralized databases and with service providers located in the U.S. We will comply with GDPR requirements providing adequate protection for the transfer of personal information from Europe to the U.S.

Use of the Cloud. Our software and mobile apps are cloud based. This means they are stored in and run from the cloud, specifically an Amazon Virtual Private Cloud (“VPC”). Amazon VPC guarantees the security and privacy of its VPC. The Amazon servers we utilize are hosted in the USA and in Asia. For more details, visit <https://aws.amazon.com/vpc/>. In addition to secure cloud storage, internal access to your Personal Information is restricted to authorized users (for example, the premium support team) and is only available through a secure tunnel between Waterford’s networks and Amazon’s VPC network. While in our database, select Personal Information is encrypted (such as student names and birthdays) and usage data is linked to students using internal identifiers. All database access requires authentication, and the back-end services restrict database access at the profile level. Also, our database is set up using Amazon Relational Database Service, which provides security and daily back-up snapshots to aid in case of disaster recovery.

Outside Links. This Privacy Statement only applies to the Digital Media. The Digital Media may include links to the websites and content of third parties. These other sites are outside of our control. Please be aware that these sites may collect information about you and operate according to their own privacy practices, which may differ from those contained in our Privacy Statement. WATERFORD HAS NOT REVIEWED THESE THIRD-PARTY SITES AND DOES NOT CONTROL NOR IS RESPONSIBLE FOR ANY OF THESE SITES OR THEIR CONTENT. WATERFORD DOES NOT ENDORSE OR MAKE ANY REPRESENTATIONS ABOUT THEM OR ANY INFORMATION, SOFTWARE, OR OTHER PRODUCTS OR MATERIALS FOUND THERE OR ANY RESULTS THAT MAY BE OBTAINED FROM USING THEM. IF YOU DECIDE TO ACCESS ANY OF THE THIRD-PARTY SITES LINKED TO DIGITAL MEDIA, YOU DO SO ENTIRELY AT YOUR OWN RISK.

Modifications to Privacy Statement. From time to time we may modify or amend this Privacy Statement in order to comply with new laws or regulations or to reflect future changes in our business practices. Any changes in our policies will be communicated in this page, so please check back on occasion. In addition, as applicable on a case-by-case basis and as Waterford contracts with educational entities or institutions (such as school districts) in different states having varying and changing applicable privacy laws, Waterford may incorporate additional privacy standards by contract. In such event, and upon request, Waterford will make such additional privacy standards available. Waterford intends to comply with all applicable state and federal law.



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Contacting Us. Please contact us with any questions or comments about this Policy, your Personal Data, our use and disclosure practices, or your consent choices. You may contact us

- If you have concerns or complaints about the Policy or your Personal Data,
- To request access to information that Waterford has about you
- To correct any information that Waterford has about you
- To remove any information that Waterford has about you

All concerns and questions may be directed to our Data Privacy Agent at:

Waterford Institute
Attn: Data Privacy Agent
1590 East 9400 South
Sandy, Utah 84093 USA
dataprivacy@waterford.org

Waterford Research Institute, Romania
Attn: Data Privacy Agent
96 Memorandului Street
Timisoara, Timis County Romania
dataprivacyro@waterford.org